

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP 25503/2018

Date of decision:12.11.2018

Sukhwinder Singh

.....Petitioner

v.

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Gursharan Singh,Advocate for the petitioner
Mrs.Anu Chatrath Kapur,Addl.AG Punjab for official
respondents assisted by
Ms.Jasleen Kaur,Secretary PPSC

Jaswant Singh,J,(Oral).

Petitioner belongs to BC category as also physically handicapped category. Since no post was reserved for the physically handicapped category in the original advertisement dated 21.3.2018 for appointment to PCS (Executive Branch and Allied Services)the petitioner applied under BC category only, however, had disclosed his status of belonging to the category of physically handicapped category to avail the benefit of fee exemption etc. It transpires that vide addendum dated 6.6.2018, 5 more posts were added to the three posts of Tehsildars already advertised on 21.3.2018, including one post which is now reserved for physically handicapped category. The candidates who had not applied earlier were permitted to apply afresh in the light of the post for physically handicapped category being advertised for the first time.

At the time of hearing counsel for the petitioner and State

counsel on instructions states that the present petition is squarely covered by decision of this Court in CWP 25092/2018 decided on 31.10.2018 (**Ramandeep Kaur v State of Punjab and others**).

It is further pointed out that after leaving out 13 candidates shortlisted for the reserved post of Tehsildar, who had applied pursuant to addendum dated 6.6.2018, a fresh list of 13 candidates out of 210 candidates belonging to the physically handicapped category, who were denied opportunity to change their category, are only entitled to be short listed based on their inter se secured merit in the preliminary written test conducted on 22.7.2018. The cut off marks for such shortlisted candidates would of course be much higher than the cut off of 177 marks secured by the originally short listed candidates who had applied. The stand of the PPSC is correct and legally valid and thus accepted.

The Secretary, PPSC points out that last candidate has secured 253.5 marks in the 13 freshly shortlisted candidates and the petitioner has concededly secured 224.5 marks and does not fall in the freshly shortlisted candidates.

In view of the above, present writ petition is liable to be dismissed.

Ordered accordingly.

12.11.2018
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No