

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

**CWP No.51 of 2018**

**Date of Decision:-09.01.2018**

**Balwinder Singh.**

.....Petitioner.

Versus

**State of Punjab & Ors.**

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH**

Present:- Mr. Digvijay Nagpal, Advocate for the Petitioner.

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**JASWANT SINGH, J.(ORAL)**

It is claimed that the petitioner applied for selection as a Male Constable with Punjab Police pursuant to the advertisement dated 31.05.2016 (P-1) in the Ex-Servicemen SC (M&B) Category. Petitioner is stated to have cleared the physical measurement test and also performed well in the physical screening test, however, was not included in the final merit list for appointment.

It is submitted that his case was wrongly considered in the category of Ex-Servicemen SC (R & O) inspite of he having filled up online form in the category of Mazhabi and Balmiki (M&B) instead of Ramdasia and Ors. (R&O). The representation filed by him in that regard to the Central Recruitment Board has been dismissed vide impugned letter dated 03.08.2017.

respondents are falsely stating that the petitioner had not applied in the Sub Category of Mazabi & Balmiki or he had failed to upload his Scheduled Caste Certificate showing the Sub Category of Mazabi & Balmiki.

After hearing learned Counsel for the petitioner, it is apparent from the contents of impugned order P-7 to the contrary that disputed questions of facts are involved, which cannot be decided in writ jurisdiction under Article 226 of the Constitution.

At this stage, learned Counsel for the petitioner prays for permission to withdraw the present writ petition to enable his client to file a Civil Suit.

Dismissed as withdrawn with aforesaid liberty.

( JASWANT SINGH )  
JUDGE

January 09, 2018  
Vinay

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |