

CWP-18486-2017 (O&M)

203-17

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

**CWP-18486-2017 (O&M)
Date of decision : 16.07.2019**

Dharmender Singh

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. G.S. Sandhu, Advocate for
Mr. D.S. Dalee, Advocate
for the petitioner(s).

Mr. Kiran Pal Singh, AAG, Haryana.

Mr. Nilesh Bhardwaj, Advocate
for the respondent(s)-University.

AMIT RAWAL, J. (ORAL)

The petitioner has challenged corrigendum dated 30.11.2016, whereby the reservation has been fixed for EBPG Category.

Learned counsel for the respondent(s)-University submitted that 44 posts were reserved for EBPG Category and only 21 candidates were qualified for interview and 20 selected against 44. Remaining posts had fallen to the General Category. The petitioner has not been able to secure cut off marks in the entire selection, therefore, cannot be having any ground of challenge.

Learned counsel for the petitioner submitted that alternative prayer was that the petitioner may be considered under the freedom fighter quota.

I am afraid the aforesaid argument is not sustainable, for, as per averment in para 5, the petitioner had applied under General Category. While sitting in this roster, this Court has noticed that the candidates are shifting their stand, realizing that few posts under different category are not filled. Such a dichotomous approach cannot be accepted under Article 226/227 of the Constitution of India. No ground is made out for interference. Accordingly, the present writ petition is dismissed.

16.07.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned	Yes/ No
Whether Reportable	Yes/ No