

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

CWP No.28143 of 2019

Date of Decision: September 30, 2019

Jagbir Singh

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Anil Kumar Rana, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

The grievance of the petitioner in the present petition is for considering his candidature under the Economically Backward Persons in General Category (EBPGC) on account of the issuance of the EBPGC certificate dated 29.06.2017 (Annexure P-9).

The facts, which culminated into filing of the present petition, are that in pursuance to the advertisement No.8/2015 dated 19.07.2015 (Annexure P-4), Haryana Staff Selection Commission invited applications for filling up various posts. Petitioner being aspirant applied for the post of Male Constable (General Duty) under the SBC category which was also reserved. However, the reservation under that category has already been quashed by this Court and the petitioner now has been issued EBPGC certificate by the competent authority on 29.06.2017 (Annexure P-9) and, therefore, in view of the interim order dated 10.04.2019 granted by this Court in CWP No.9665 of 2019, the candidature of the petitioner may be

considered under the EBPGC category.

State counsel was called upon to apprise this Court about the status of the candidates who have applied under EBPGC category and it was informed that the candidates who had applied have been considered under the general category. The prayer is for changing of the category owing to the issuance of the EBPGC certificate, which cannot be considered at this stage as various candidates have also applied under SBC category. There were 5000 posts under different categories. It would be giving a premium to the petitioner to change his option, which is not permissible in law.

I have heard the learned counsel for the parties, appraised the paper book and of the view that the grievance of the petitioner cannot be accepted as from the perusal of the application form Annexure P-5, petitioner had opted under the SBC and even did not upload the document of reservation, i.e., the certificate issued. There could be some force in the argument had he applied under the EBPGC category and could not upload the certificate. The law with regard to change of category is no longer res integra. Option of different category cannot be permitted after the declaration of the result. No ground for interference is made out.

Resultantly, the writ petition stands dismissed.

September 30, 2019
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No