

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

**CWP No. 828 of 2020 (O&M)**

**Date of decision: 29.03.2022**

Amarjeet

... Petitioner

Versus

State of Haryana and another

....Respondents

**Coram:**     **Hon'ble Mr. Justice Arun Monga**

**Present:-**   Mr. Sunny Kumar Singla, Advocate for the petitioner.

Mr. R.K.S.Brar, Additional Advocate General, Haryana.

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**Arun Monga, J (oral)**

Petitioner herein *inter alia* seeks issuance of a writ in the nature of mandamus directing the respondents to consider his candidature under General-ESM category.

2.           Learned counsel for the petitioner submits that the petitioner belongs to ESM Category and he attached certificate of service as Annexure P-4 but petitioner in his application form mentioned his category as EWS. Subsequently he gave representation along with documents to consider his candidature under General-ESM category, but to no avail. Hence, the instant petition.

3.           Learned State counsel submits that reply has already been filed and strenuously opposes the writ petition by saying that change of category is impermissible as per the terms and conditions of the advertisement, at this stage.

4.           I have heard learned counsel for the parties and gone through the paper book.

5. No grounds are made out to interfere. Dismissed with liberty to the petitioner to pursue his cause with the department in the category he had originally applied since in the affidavit, it is stated that posts in the said category are still lying vacant.

6. Needless to say that department would consider the case of the petitioner subject to his otherwise being meritorious as he claims that he had obtained 58 marks and having obtained lesser marks than the petitioner has been selected in the category in which he applied, claim of the petitioner shall be entertained, in accordance with law.

Pending applications, if any, also stand disposed of.

**29.03.2022**  
vandana

**(ARUN MONGA)**  
**JUDGE**

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No