

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

CWP-13579-2022

Date of decision : 22.03.2023

Harpreet Singh

..... Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Arvinder Singh, Advocate
for the petitioner.

Ms. Shivani Sharma, DAG, Punjab.

PANKAJ JAIN, J. (Oral)

By way of present writ petition, the petitioner has sought quashing of the select list dated 27.05.2022 (Annexure P-6) for the post of Constables in backward class in armed cadre 2021.

2. Petitioner applied pursuant to public notice issued by the respondent for the post of Constable dated 16.07.2021 (Annexure P-1) in Backward Class category. On 06.01.2022, select list (Annexure P-5) was published, wherein the petitioner was placed at Sr. No.219. However, before the selection process could further advance to second year, the said list was revised and a fresh list was published vide P-6 dated 27.05.2022.

3. Counsel for the petitioner argues that despite having been earlier placed at Sr. No.219 in P-5, the name of the petitioner was removed in P-6.

4. Per contra, counsel representing State has relied upon order dated 27.05.2022 passed by Chairperson Central Recruitment Board Recruitment of Constables in District and Armed Police Cadres, whereby result dated 08.01.2022 i.e. Annexure P-5 was withdrawn to contend that the merit list was revised after discovering the error in placing general/unreserved category in the merit list of armed cadre that too in compliance of directions issued by Writ Court in **CWP-1364-2022** titled as ***Mandeep Kaur vs. State of Punjab*** and thus no such claim of the petitioner subsists. It has been specifically claimed that the normalize score of the petitioner is 76.12497. The normalize score of last selected candidate in the same category i.e. Backward Class is also 76.12497 in armed cadre. However, as per the selection criteria, in case of two candidates securing same marks, the candidate senior in age is to be placed higher in the merit list. All the candidates who have been placed in the merit list who have secured marks equal to that of petitioner are senior in age and thus there is no infirmity in the action taken by the respondent.

5. Faced with the situation, counsel for the petitioner submits that he be provided with the names of the candidates who have entered afresh after the exercise which was effectuated vide P-6. Though, he admits that as on date, in view of the fact that there is no candidate who has secured less marks and junior to the petitioner who has been selected, no cause of action survives in his favour.

6. In view of the above, present writ petition is ordered to be dismissed on merits. However, respondents are directed to supply the list of candidates who have secured a fresh entry consequent upon P-6 within a

period of eight weeks from the date of receipt of certified copy of the order.

7. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

22.03.2023

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No