

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 245 of 2023

Date of Decision: 10.01.2023

Deepak Kumar

... Petitioner(s)

Versus

The State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. N.P.S.Hira, Advocate
for the petitioner(s).

Mr. Charanpreet Singh, Assistant Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

1. The petitioner prays for issuance of a writ in the nature of mandamus to direct the respondents to call the petitioner for physical/medical test which is required before the counselling/interview for the post of Warder (Jails).

2. The relevant facts, in brief, are required to be noticed. Pursuant to the recruitment notice, dated 10.05.2021, applications were invited for the 814 posts of the various categories including the post of Warder (Jails). The petitioner is stated to have applied for the post of Warder (Jails) under the backward class category. In the written examination, the petitioner is stated to have secured 589.11424 marks. The petitioner claims that under the backward class category, the candidates securing marks upto 592.0988 marks have been called for the scrutiny of documents, whereas, for the

general category, the candidates securing 528.84833 marks were called for

the interview. He submits that once the candidates with higher marks in the backward class category were available, they were required to be adjusted towards the post of general category and the respondents have erred in calling the general category candidates with lower marks than the candidates belonging to the backward caste for filling the aforesaid posts.

3. Yesterday, Mr. Charanpreet Singh, Assistant Advocate General, Punjab, was requested to take complete instructions from the concerned authority. He has produced a copy of public notice dated 01.10.2021 calling the other candidates, who have secured more than 40% marks in the written test, for the physical measurement/physical efficiency test. The learned counsel representing the petitioner does not dispute that fact. However, he submits that the petitioner was not permitted to participate in the aforesaid test.

4. Mr. Charanpreet Singh, Assistant Advocate General, Punjab, has informed the court that the last selected candidate in the general category has secured 594.4806 marks.

5. The learned counsel representing the petitioner has failed to draw the attention of the Court to any candidate appointed under the general category who secured the marks less than the petitioner. In such circumstances, no ground is made out to issue the writ. Hence, the present writ petition is dismissed.

(Anil Kshetarpal)
Judge

January 10, 2023
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No