

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CWP-1045-2024
Date of Decision: 12.03.2024

Akashdeep Kaur ...Petitioner

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Shubham Gupta, Advocate for
Mr. Abhishek Singla, Advocate for the petitioner
Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of result of selected candidates (Annexure P-5).
2. The petitioner belongs to 'Wards of Police Personnel' Category and she applied for the post of Sub-Inspector in Technical & Support Services Cadre advertized by respondents. The petitioner applied under her category, however, she did not upload certificate issued by the competent authority. The respondent treated the petitioner under General Category and she could not compete with the candidates of the said category.
3. Mr. Shubham Gupta, Advocate submits that petitioner was having certificate of 'Wards of Police Personnel', issued by the competent

authority, however, it could not be uploaded due to oversight. Consequently, it was not produced before the authorities at the time of scrutiny of documents. It was also duty of the authorities to ask her to submit category certificate. The petitioner cannot be deprived of her valuable right of post on the technical grounds.

4. Mr. Aman Dhir, Deputy Advocate General, Punjab submits that petitioner concededly did not upload her category certificate along with her application and further did not produce the same at the time of scrutiny of documents. There was no fault on the part of authorities. The respondents cannot ask each and every candidate to submit documents. It is the job of candidates because all the terms and conditions of the selection process are duly disclosed in the advertisement.

5. I have heard the arguments of learned counsels for both sides and perused the record with their able assistance.

6. Concededly, the petitioner did not upload her category certificate along with the application. The said certificate was also not produced at the time of scrutiny of documents. As per the petitioner, she has secured more marks than the last selected candidate in her category. The petitioner may be right in her claim to the extent that she has secured more marks than last selected candidate in her category, however, she has committed a mistake which is not curable at this belated stage. Had the petitioner approached this Court prior to participating in the written test, the matter could be considered, however, after declaration of the result, the authorities cannot be asked to consider category certificate of the petitioner. The selection process is a long

process and it has to be completed within a reasonable time. In the absence of submission of category certificate on the part of petitioner, it would not be just and fair to consider her category certificate at this stage.

7. In the wake of above discussion and findings, this Court is of the considered opinion that present petition *sans* merit and deserves to be dismissed, accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

12.03.2024
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>