

Upon notice of motion, the respondents have file reply. In their reply, the respondents have stated that the petitioner applied in the General Category and as per the condition of the Advertisement (Annexure P-1), any category once applied cannot be allowed to be changed and not only this, in the same recruitment process, another candidate namely Gurpreet Singh had also filled up the General Category instead of Reserved Category and filed a CWP No.18337 of 2020 titled ***“Gurpreet Sigh Vs. State of Punjab and Ors.”***, to get this category changed but the said writ petition was dismissed on 03.11.2021 by the Co-ordinate Bench and therefore, the relief being claimed by the petitioner may be declined.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

It is a conceded fact that as per the application form submitted by the petitioner, he had applied in the General Category and though he wanted to change the category but as per the conditions of the Advertisement, which are sacrosanct, no change can be allowed.

Further, the petitioner appeared in the examination despite the fact that the Roll Number was issued in the General Category and petitioner participated in the selection process under a Roll Number issued in General Category and it is thereafter, the petitioner had filed the present petition for change of his category from “General” to “Backward Class”. In case, the petitioner had come to know that he had filled incorrect category, he should have approached this Court before the last date to fill the application form to claim the said benefit, which claim was never raised by the petitioner.

As per the judgment of the Hon’ble Supreme Court of India in ***“J&K Public Service Commission Vs. Israr Ahmad and Ors.”***, decided on

07.01.2005, category once applied for can be allowed to be changed after participating in the selection process. In the present case, the claim raised by the petitioner is contrary to the settled principle laid down by the Hon'ble Supreme Court of India in "***J&K Public Service Commission Vs. Israr Ahmad and Ors.***" as well as by the Co-ordinate Bench in **Gurpreet Singh's case (supra).**

No ground is made out by this Court to interference in the present petition.

Hence, the present petition is dismissed.

Pending application, if any, also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

18-10-2024
Sapna Goyal

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO