



CWP-9490-2013

-1-

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

107

CWP-9490-2013

Date of Decision: 13.05.2024

Narinder Singh

...Petitioner

**Versus**

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. H.P.S Ghuman, Advocate for the petitioner

Mr. Pawan Kumar, 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 selection list of candidates dated 07.12.2012 (Annexure P-2) for the recruitment of Constables in District Fatehgarh Sahib.

2. The petitioner belongs to Scheduled Caste (Others) Category. Pursuant to an advertisement dated 29.09.2011 (Annexure P-1), he applied for the post of Constable. He secured 24 marks in the written test. He was not permitted to participate in the interview though he was called for interview.

3. Mr. H.P.S. Ghuman, Advocate submits that petitioner was called for interview but he was not permitted to participate on the ground that he has

**CWP-9490-2013****-2-**

been wrongly called for interview. There were many candidates who had secured lesser marks than the petitioner still they were called for interview.

4. *Per contra*, Mr. Pawan Kumar, Deputy Advocate General, Punjab submits that in the selection list by mistake, category of few candidates was mentioned as Scheduled Caste (Others) whereas they belong to Scheduled Caste (Ex-servicemen) Category. The candidates who were called for interview having lesser marks than the petitioner belonged to Scheduled Caste (Ex-servicemen) Category whereas the petitioner belongs to Scheduled Caste (Others) Category. No candidate, belonging to Scheduled Caste (Others) Category, was interviewed who had secured less than 25 marks.

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

6. The petitioner is claiming that he was not interviewed despite being called. The interview process took place in 2012 and all the candidates have already been selected. As per reply of the respondent-State, there was typographical mistake in the result. The petitioner cannot take advantage of mistake either typographical or otherwise of the respondents. There is nothing on record disclosing that any candidate belonging to petitioner's category who had secured lesser marks than him, has been selected. A period of more than 12 years has expired from the date of completion of recruitment process. This Court, at this belated stage, in view of disputed facts does not find it appropriate to ask the respondent-State to interview him.



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

(JAGMOHAN BANSAL)  
JUDGE

13.05.2024  
Mohit Kumar

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |