



CWP-23221-2024

-1-

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

285

CWP-23221-2024

Date of Decision :01.10.2024

Jaskarn Singh and others**...Petitioners****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Jatinderpal Singh, Advocate for the petitioners.

Ms. Anu Chatrath, Senior Advocate/Addl. A.G. Punjab with
Mr. Satnam Preet Singh Chauhan, DAG, Punjab.

* * *

Harsimran Singh Sethi, J. (Oral)

In the present petition, grievance being raised by the petitioners is that they competed for the post of E.T.T. Teachers in pursuance to the advertisement dated 12.10.2022 (Annexure P/2) issued by the respondents and though they intended to compete under the category of Ex-Servicemen (Self) as they themselves are actually Ex-servicemen but according to the petitioners, due to some technical glitch in the website, the petitioners could not click category of Ex-Servicemen (Self) and rather clicked the button of category of Dependent of Ex-servicemen.

Learned counsel for the petitioners submits that as and when the said discrepancy came to the notice of the petitioners, they approached the respondents claiming that they are themselves Ex-Servicemen and hence,



CWP-23221-2024

-2-

they should be considered in the category of Ex-Servicemen (Self) and not in the category of Dependent of Ex-servicemen but the respondents have not changed the category of the petitioners on the ground that once, a particular category has been filled up in the application form, the same cannot be changed later on.

Learned counsel for the petitioners further submits that it is not the case of the petitioners that they competed and then tried to change their category as the selection process is yet to be completed and the petitioners have already approached this Court much prior to the completion of the selection process so as to consider them under the category of Ex-Servicemen (Self) and not under the category of Dependent of Ex-servicemen.

Learned Senior counsel for the respondent-State submits that no written statement is needed to be filed in the present petition as the petitioners themselves have conceded the fact that they filled up the application form in the category of Dependent of ex-servicemen and keeping in view the provisions of the advertisement, once, a particular category has been filled up in the application form, the same cannot be allowed to be changed and, hence, the petitioners cannot be granted the said benefit.

Learned Senior counsel for the respondent-State further submits that it is incorrect on the part of the petitioners that there was any technical glitch as other ex-servicemen have also submitted their application form under the said category of Ex-servicemen (Self).

Learned counsel for the petitioners submits that it cannot be



CWP-23221-2024

-3-

said that a technical glitch was not there as 09 petitioners are claiming the said benefit and all the 09 petitioners could not have filled the wrong option especially, when all the petitioners are ex-servicemen themselves, then why will they purposely submit their application form under the category of Dependent of Ex-servicemen, which is a category subordinate to the category of Ex-Servicemen (Self).

I have heard learned counsel for the parties and have gone through the record with their able assistance.

It may be noticed that the selection process is not over and the petitioners had approached this Court for the change of their category, which they had inadvertently filled up due to a technical glitch while submitting their application form. Though, a technical glitch is being disputed by the respondents but 09 candidates are before this Court to say that due to a technical glitch, they could not fill their category as Ex-Servicemen (Self) and rather clicked the button by which they were shown to be under the category of Dependent of Ex-servicemen. Once, it is not disputed that the petitioners themselves are ex-servicemen and they have already approached this Court for correction of their category much prior to the completion of selection process, the respondents were under an obligation to look into the grievance of the petitioners as to whether there was any technical glitch or not.

It may be noticed that averment of the learned counsel for the petitioners is that benefit was granted to some of the petitioners to change their category from Dependent of Ex-Servicemen to Ex-Servicemen (Self) but again they were reverted back to the category of Dependent of Ex-



CWP-23221-2024

-4-

Servicemen. The petitioners have served the nation. In case, the selection process would have got over and the petitioners would have approached this Court thereafter, the view of this Court would have been different but as of now, the selection process is underway and nobody has been selected against any of the category hence, there should not be any impediment in considering the claim of the petitioners for the change of their category from Dependent of Ex-servicemen to Ex-Servicemen (self) especially, when it is a conceded fact that the petitioners are themselves ex-servicemen and not dependent of ex-servicemen.

Keeping in view the above, present petition is allowed. The respondents are directed to treat the petitioner under the category of Ex-Servicemen (Self) in respect of the advertisement dated 12.10.2022 (Annexure P/2) issued by the respondents, for all intent and purposes.

October 01, 2024
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No