



CWP-2907-2022

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

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CWP-2907-2022 (O & M)
Date of decision: 22.01.2025

Bhupinder Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Satnam Preet Singh Chauhan, DAG, Punjab.

Mr. Nitin Kaushal, Advocate for
Mr. Ajit Singh, Advocate for
respondent No.5.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for directing the respondents to consider the category of the petitioner for the post of Ward Attendant as ESM (General), instead of General Category, on the premise that inadvertently, the said category was selected.

2. Learned State counsel has referred to the judgment passed by this Court in **Arashdeep Singh vs. State of Punjab and another**, CWP-17825-2020, decided on 18.10.2024, involving the same issue, as per which the present petition is liable to be dismissed, relevant paras whereof read thus:-

“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



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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."

3. In wake of the above, the present petition is dismissed.

22.01.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No