

**CWP-10548-2024**

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

CWP-10548-2024**Date of Decision: 29.07.2025**

PARVEEN KUMAR

...Petitioner

Vs.

CHANDIGARH MUNICIPAL CORPORATION AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Robin Dutt, Advocate for the petitioner

Mr. Arman Saggar, Advocate
for respondents No.1 and 2.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside letter/order dated 01.05.2023 whereby his candidature was rejected.

2. The petitioner has applied for the post of driver. He participated in the selection process and came to be selected. Before his joining, the respondent noticed that he was over-age on the date of filing application, thus, cancelled his candidature.

3. Learned counsel for the petitioner submits that the petitioner was issued admit card. His name figured in consolidated merit list. He was asked to undergo driving test, thus, there was no reason to reject his candidature on the ground of being over-age.

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4. The respondent in the advertisement prescribed age criteria. A candidate who does not fall within prescribed age criteria cannot apply for the post. The petitioner despite being ineligible applied for the post and is now claiming that he should be selected because principle of estoppel is applicable to the respondent.

5. The contention of petitioner is misconceived. There is no estoppel against the State if there is mistake on the part of the officials manning the affairs. There is no question of estoppel on the ground of mistake committed by respondents. The petitioner knowing his age applied for the post. He was well-aware that he was not eligible for the post but still applied for the same. The petitioner is trying to take benefit of his mistake as well as mistake of respondent. It is settled law that one cannot claim benefit of mistake of others.

6. In the wake of above factual position, this Court is of the considered opinion that the instant petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

29.07.2025*Deepak DPA*

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No