



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

Sr. No.122

CWP No.12298 of 2025

Date of Decision: 06.05.2025

Sushila and others

.... Petitioners

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

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

Ms. Tanushree Gupta, Deputy Advocate General, Haryana.

Mr. Balvinder Sangwan, Advocate,  
for respondent no.4/Commission.**TRIBHUVAN DAHIYA, J. (ORAL)**

The petitioners are aggrieved since the notification dated 13.11.2024, Annexure P-6, regarding sub-categorisation of Scheduled Castes (SC) category has been made applicable to advertisement 42 to 67 of 2024, published on 02.08.2024, and have sought a writ of *mandamus* declaring the said notification inoperative *qua* the posts already advertised.

2. As per facts apparent on record, the respondent/Commission issued the aforementioned advertisement on 02.08.2024 inviting applications for the posts of Assistant Professor (College Cadre) in various subjects in the Higher Education Department from 07.08.2024 to 27.08.2024. Apart from other categories, the posts under SC category were also advertised. Thereafter, the State Government issued a notification dated 13.11.2024, whereby it was decided to sub-categorise SC category for the purpose of reservation in service, into Deprived Scheduled Castes (DSC) and Other Scheduled Castes (OSC) categories. It stipulated that out of the existing twenty per cent quota reserved for SC category in direct recruitment to government jobs, one-half of the posts would be reserved for DSC, and the remaining for OSC; only if suitable



candidates either of DSC or OSC categories are not available, as the case may be, the posts will be filled by suitable candidates of the other sub-category against the balance vacancies.

2.1. In terms therewith, the Commission issued a corrigendum dated 24.02.2025, Annexure P-7, to the advertisement on the ground, *“In view of Government of Haryana notification No.22/163/2024-5HR-III dated 13.11.2024, the Additional Chief Secretary to Govt. Haryana, Higher Education Department, Haryana has been requested to revise the earlier requisition. The bifurcation of posts as per revised requisition will be published/displayed as and when received from the Government”*. The online application portal was re-opened inviting applications from 01.03.2025 to 15.03.2025. The corrigendum also stipulated that the SC category candidates who had already applied, were to update their online application forms and mention their respective categories as DSC or OSC, as the case may be.

3. In this factual background, learned counsel for the petitioners *firstly* contended that notification, dated 13.11.2024, was wrongly made applicable to the advertisement in question, which had been issued prior to issuance of the notification. Making the notification applicable is like changing the rules of the game after it has begun, which is contrary to the settled law and impermissible. *Secondly*, it has been contended that the corrigendum, dated 24.02.2025, could not have been issued by the Commission. Being the employer, it was for the Government to send the revised requisition, and not for the Commission to ask for it. A reading of the corrigendum makes it apparent that the Commission has requested the Government to revise the earlier requisition which makes it unsustainable. *Thirdly*, it has been contended that despite issuance of the corrigendum inviting applications from SC category candidates and its sub-categories, DSC and OSC, the posts have not been bifurcated into sub-categories as yet. Therefore, the selection should be made as per the original advertisement without sub-categorising SC category posts.



4. *Per contra*, learned counsel for the Commission contended that selection process pursuant to the advertisement in question had not commenced before issuance of corrigendum dated 24.02.2025. Besides, the closing date for submission of applications had been extended thereby. Accordingly, no prejudice has been caused to any of the candidates by the corrigendum, nor does it amount to changing the rules of the game, as the selection process was still to begin by then. He also contended that issuance of corrigendum was necessitated on account of notification, dated 13.11.2024, having been issued by the Government sub-categorising the SC category and making it applicable with immediate effect. Still further, it has been contended that the bifurcation of posts as per the revised requisition received from the Government will be published/displayed as and when details are received. Non-publication of the same at this stage is not to anybody's prejudice, as categories are to be seen at the last stage of selection after the interview, which has not been reached as yet.

5. Submissions made by learned counsel for the parties have been considered.

6. There is no substance in the first contention raised by learned counsel for the petitioners. Making the notification, dated 13.11.2024, applicable to the posts already advertised does not amount to changing the rules of the game, since before doing that the Commission has issued the corrigendum, dated 24.02.2025, extending the last date for submission of applications from 27.08.2024 to 15.03.2025, and the selection process commenced thereafter. The next contention regarding the Commission's request to the Government to revise its earlier requisition for the posts in question in view of notification, dated 13.11.2024, is also without substance. The notification made sub-categorisation of SCs applicable with immediate effect, and in case taking notice of the same the existing requisition, pursuant whereof the selection process was still to commence, was revised, no exception can be taken to it as by revising the requisition due representation will be ensured for



the sub-categorised SC candidates as well, in line with the Government policy. Only on the basis of phraseology of the corrigendum, which might not have been appropriately used, it cannot be said that the Commission over-stepped its jurisdiction in requesting the Government to revise the requisition. The corrigendum does not explicitly indicate, nor is there any other material on record to denote, as to what transpired between the Government and the Commission prior to issuing the corrigendum. This Court is not inclined to go into the issue, as no prejudice has been caused to the petitioners by issuing the corrigendum, as discussed herein before, and examination of the issue will only be an academic exercise. It can also not be lost sight of that the petitioners have not challenged the corrigendum dated 24.02.2025; on this account also, none of the contentions imputing its validity can be entertained. *Lastly*, failure to give bifurcation of posts at this stage can also not be a ground to make the notification inoperative, as the categories to which the candidates belong are to be taken into consideration at the last stage of selection when the final merit list will be drawn after the interviews, and that stage has admittedly not been reached as yet.

7. In view of the discussion, there is no ground to entertain the petition and it stands dismissed.

(TRIBHUVAN DAHIYA)  
JUDGE

06.05.2025  
Maninder

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