

LPA-1355-2025 (O&M)

2025:PHHC:066396-DB



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

LPA-1355-2025 (O&M)
Date of Decision: May 16, 2025

Master Aditya Beniwal through his mother/natural Guardian - Satsheel
.....Appellant

Versus

Union of India and others **..... Respondent**

CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Mohit Garg, Advocate for the appellants.

Mr. Vipul Aggarwal, Advocate for respondents No. 1 to 4.

LISA GILL, J.

1. Prayer in this appeal is for setting aside order dated 29.04.2025 passed by learned Single Bench whereby CWP-16684-2024 filed by present appellant/writ petitioner has been dismissed.

2. CWP-16684-2024 was filed by present appellant, a minor through his mother and natural guardian for setting aside order dated 04.07.2024, Annexure P11, to the extent that appellant's claim for change of

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category from 'Home State – General' to 'Home State – Defence' has been rejected.

3. Appellant/writ petitioner applied for admission to Sainik schools (class VI). He applied in Home State – General category for All India Sainik Schools Entrance Exam - 2024 (AISSEE) at National Testing Agency (NTA) website. Appellant qualified in the written test for Sainik School (SS) and New Sainik Schools (NSS) in the State of Haryana with All India Ranking 3677 and 258 marks. Appellant was allotted a seat at Sainik School, Rewari, in Round-II of e-counselling in Home State - General category. He completed admission formalities and took admission at SS, Rewari. It is the case of petitioner that due to some glitch in the website, his category is reflected as General category irrespective of fact that in the same application form, occupation of the father is clearly reflected to be 'Defence Services'. It is stated that representation dated 11.03.2024 (Annexure P4) was submitted by mother of appellant stating that due to bonafide error, General category has been mentioned whereas the child is a Defence category student. It is submitted that appellant's request was not considered and his category was not changed due to which he participated in first round of counselling at Sainik School, Kunjpura and Rewari. Cut off percentage in respect of General candidate was 266 and 261, respectively in the Boys category in these schools whereas for Defence personnel category, it was 265 and 250, respectively. In the second round of counselling, cut off for General category was 266 and 256 for admission to Sainik School, Kunjpura and Rewari whereas for Defence personnel category, it was 260 and 246, respectively. Appellant could also not avail the scholarship available to

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wards of Personnel serving in the Indian Army because he was admitted against General category.

4. CWP-11945-2024 was filed by petitioner which was disposed of on 20.05.2024, Annexure P10, whereby respondent – authorities were directed to decide representation submitted by him in a time bound manner. In compliance thereto, impugned order dated 04.07.2024, Annexure P11 with writ petition was passed. Under Secretary, Sainik School Cell, New Delhi vide impugned order dated 04.07.2024 decided that appellant is not entitled for change of category from ‘Home State – General’ to ‘Home State – Defence’. However, Principal, Sainik School Rewari was directed to provide Defence scholarship to appellant as per conditions laid down in Policy letter dated 04.08.2010. It is specifically observed in said order dated 04.07.2024 that last date for submission of application form for AISSEE - 2024 at NTA website, was extended from 16.12.2023 to 20.12.2023. Correction window for updation of details filed in the application form was provided on NTA website earlier from 18.12.2023 to 20.12.2023 which was further extended from 22.12.2023 to 24.12.2023. No correction was forwarded by appellant in respect to particulars in his application form during this correction window which was provided.

5. CWP-16684-2024 filed by appellant being aggrieved of said order dated 04.07.2024 was dismissed by learned Single Bench vide impugned order dated 29.04.2025. It is held by learned Single Bench that as per terms and conditions of advertisement, no change in the category could be entertained after submission of application form and moreover, no change had been sought by appellant within the period of correction window

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provided by the authorities. It was further observed that in case of relief being granted to appellant at that stage, it would lead to prejudice to two candidates. It was observed by learned Single Bench in this regard as under:-

“17. Further, if the prayer of the petitioner-candidate is accepted as of today, the petitioner will have to be shifted to the “Defence Category” thereby ousting respondent No.6-Master Nitin, who is next in merit in the “Defence Category” to be admitted in the Sainik School. The seat in the “General Category” which will be vacated by the petitioner-candidate at Sainik School, Rewari, will not be filled up as of now keeping in view the lapse of time hence, the situation will be such that two candidates will suffer in case, the inadvertent mistake of the petitioner-candidate i.e., the change from “General Category” to “Defence Category” is allowed to be corrected at this stage and that too especially in view of the facts which have been mentioned hereinbefore.”

6. Aggrieved of order dated 29.04.2025, present appeal has been filed.

7. Learned counsel for appellant vehemently argues that it is a mere inadvertent mistake due to which category of appellant has been incorrectly mentioned. It is a matter of record that appellant indeed belongs to Defence category and there is no denial of the same. In such circumstances, authorities ought to have allowed the change in category. Learned Single Bench has grossly erred in dismissing the writ petition filed by present appellant. Appellant, it is submitted, is entitled to admission at Sainik School, Kunjpura instead of Sainik School, Rewari. It is, thus, prayed that this appeal be allowed, impugned order dated 29.04.2025 be set aside and CWP-16684-2024 be allowed as prayed for.

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8. Learned counsel for Union of India/respondents No. 1 to 4, on advance notice, has refuted the arguments as raised on behalf of appellant. It is submitted that appellant has incorrectly stated in the writ petition that there was a technical glitch due to which an incorrect category is reflected and that writ petition should have been dismissed on this ground itself. Appellant is taking contradictory stands which is untenable. Stand of respondents as reflected in reply filed on its behalf is reiterated. Dismissal of appeal is sought.

9. We have heard learned counsel for parties and have gone through the file with their able assistance.

10. It is a matter of record that appellant represented through his mother, had applied for admission to Sainik School within the State of Haryana in the category of Home State - General. Last date for submission of application forms was extended from 16.12.2023 to 20.12.2023. As per Page 24 of Information Bulletin of All India Sainik Schools Entrance Exam – 2024:-

‘No change to the category will be entertained after submission of application form and no subsequent changes will be effective except through the correction window’.

11. Para 28 of Standard Operating Procedure (SOP) for All India Sainik Schools Admission Counselling (AISSAC) - 2024 provides that:

“A correction window was already provided during registration of candidates for AISSEE to amend any details. At the time of registration on the AISSAC website, candidates will NOT be allowed to any change in their personal details including name, gender father’s/mother’s/guardian’s name, domicile state, date of birth or category.”

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12. It is categorically mentioned in speaking order dated 04.07.2024 that appellant participated in Round-I of e-counselling which commenced on 15.03.2024. Result of Round-I was published on 09.04.2024. Roundwise cut off for allocation of seats for boys in both the schools at Rewari and Kunjpura is also mentioned in the said order. It is further clarified that as appellant had accepted the seat offered to him at Sainik School, Rewari during Round-II of e-counselling and had completed admission formalities, his name was not considered for subsequent rounds of e-counseling. No application/representation/request for change of category, it is stated, was received at any stage before second round of e-counselling i.e. on or before 02.05.2024. Page 24 of Information Bulletin AIEESS - 2024 clearly provides that no change of category shall be entertained after submission of application form and no subsequent changes will be effective except through the correction window. Correction window for making any changes in application form was duly provided by the authorities but no such correction was carried out by appellant. Para 28 of SOP as referred to above also provides that no such change shall be provided during registration of candidates as the correction window had already been provided.

13. Learned Single Bench has correctly relied upon judgments of Hon'ble the Supreme Court in Civil Appeal No. 198 of 2005 (**J&K Public Service Commission vs. Israr Ahmad and others**) decided on 07.01.2005 and Civil Appeal No. 7677 of 2021 (**The State of Bihar and ors. Vs. Madhu Kant Ranjan and anr.**) decided on 16.12.2021 while dismissing the writ petition filed by present appellant.

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14. It is pertinent to note at this stage that Defence scholarship has duly been provided to appellant as per order dated 04.07.2024, therefore, grouse in this respect has been addressed.

15. Faced with the above, learned counsel for appellant is unable to point out any illegality, infirmity and irregularity in impugned order dated 29.04.2025 passed by learned Single Bench which calls for interference by this Court.

16. No other argument has been addressed.

17. Present appeal is, accordingly, dismissed being devoid of any merit.

18. Pending application(s), if any, stand(s) disposed of.

(LISA GILL)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

May 16, 2025
Rts

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