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

CWP-16463-2025

Date of Decision: 29.05.2025

BALWINDER SINGH

..... Petitioner

Versus

THE STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. G.S. Dhindsa, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking selection of private respondent under 2% reservation for Wards of Police Personnel. He is further seeking direction to respondent that he should be appointed as Sub-Inspector because he fulfils all the requisite conditions.

2. The petitioner is possessing certificate of Wards of Police Personnel. The petitioner on the earlier occasion preferred Civil Writ Petition No.1185 of 2017 claiming appointment against 2% quota for Wards of Police Personnel. The said writ petition was dismissed vide order dated 11.03.2019. For the same cause of action, the petitioner has preferred instant petition.

3. On being asked as to how second writ is maintainable for the same grievance, learned counsel for the petitioner submits that order dated 11.03.2019 was passed *ex parte* and Court has not adverted to



merit. The petitioner is claiming appointment on the ground that he is Ward of Police Personnel and is entitled to post of Sub-Inspector against 2% quota earmarked for Wards of Police Personnel. The petitioner for the same grievance had filed aforesaid writ petition which was dismissed vide order dated 11.03.2019 which is reproduced as below:

“Learned State counsel submits that petitioner could not be selected as he did not qualify the main examination. He has referred to para 1 of the reply by way of Iqbal Preet Singh Sahota, Admn.-cum-Chairman, Central Recruitment Board, Punjab. Same reads as under:-

“1. That petitioner applied for the post of Sub Inspector in District Police Cadre (Male) in BC, Wards of Police Personnel Category. He qualified physical trials and appeared in the written examination. He got 62 marks in written examination whereas cut off marks of Wards of Police Personnel Category were 69 marks, whereas cut off of BC Category was 79 marks. So, his name was not included in the merit list.”

The aforesaid contention remains uncontroverted. Petitioner remains unrepresented. None appeared for the petitioner on the last date of hearing as well.

In view of statement made by the State counsel, no cause of action survives. Petition is hereby dismissed.”

4. From the perusal of above-cited order, it is evident that relief sought in the instant petition is identical to relief sought in aforesaid petition. The petitioner, as per its wisdom, did not appear at the time of disposal of said petition. He even did not file application seeking recalling of said order. As per principle of constructive *res judicata*, the instant petition cannot be entertained merely on the ground that earlier petition was not adjudicated on merit.

5. There is another facet of the matter. The petitioner is



claiming appointment with respect to selection process which was initiated and concluded in 2016-2017. The petitioner’s earlier writ petition was dismissed in 2019 and he has approached this Court in 2025. It shows that petitioner was never serious. He has casually pursued the matter. The Court cannot help a man who is not vigilant.

6. The petitioner is claiming that private respondents have been wrongly granted benefit of 2% reservation. The petitioner is not disputing that respondents are possessing certificate of Wards of Police Personnel. Unless and until certificate of Wards of Police Personnel is recalled/cancelled, there is no question to dispute their entitlement to 2% reservation.

7. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

29.05.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No