



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.120

CWP No.17583 of 2025 (O&M)

Date of Decision: 17.07.2025

Seema Rani

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Shreenath A. Khemka, Advocate, for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

Mr. Balvinder Sangwan, Advocate,
for respondent no.3/Commission.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *mandamus* directing the respondents to consider the petitioner's candidature on the strength of Other Backward Class/OBC certificate, dated 17.08.2013, Annexure P-3.

2. Mr. Shreenath, learned counsel, contended that the petitioner applied for the post of Assistant Professor History in response to advertisement 53/2024 by uploading application form dated 25.08.2024, Annexure P-4; however, she inadvertently mentioned her category as BC-A (creamy layer), though she belonged to BC-A (non-creamy layer) category. Closing date for submission of application forms was extended up to 15.03.2025. She appeared in the screening test but failed to clear the same as per result dated 03.06.2025, having been considered as a General category candidate.



2.1. He further contends that the factum of petitioner belonging to BC-A (non-creamy layer) category stands established by her latest certificate dated 16.06.2025, Annexure P-9, issued by the competent authority in terms of the Government instructions dated 16.07.2024. In case due to inadvertence, she failed to correctly mention her reserved category in the application form and/or failed to upload a certificate to that effect, it cannot be a ground to reject her candidature as such. The selection process is at the initial stages, and she has secured more marks than the last shortlisted candidate in BC-A category for the next stage of selection/Subject Knowledge Test. It has also been contended that the factum of petitioner's belonging to the BC-A (non-creamy layer) category stands established by Parivar Pehchan Patra (PPP), dated 01.07.2021 and 14.06.2025, Annexure P-10, respectively, issued by the Government. And BC-A category certificates are issued by the Government based upon PPP certificates only. Therefore, the petitioner's status as the one belonging to the said category can be ascertained by the Commission on the basis of the PPP certificates as well. In support of the contention, he has relied upon the Supreme Court judgment rendered in *Dolly Chhanda v. Chairman, JEE and others*, (2005) 9 SCC 779.

3. Mr. Balvinder, learned counsel for the Commission, on the contrary, contends that the petitioner's candidature was considered under General category, and she failed to secure enough marks in the screening test to be shortlisted for the Subject Knowledge Test. She herself mentioned her category as BC-A (creamy layer) and appeared for the screening test as well, without raising any objection. Only after declaration of the result and failing to clear it, she has approached this Court by filing the instant petition; this itself disentitles her to raise the claim. He also submits that the petitioner did not upload a valid BC-A category certificate along with her application



form. Instead, uploaded one OBC certificate dated 17.08.2013, which has no relevance for the post in question, as the advertisement requires the candidates to upload BC-A category certificate issued in the year 2024-25 as per Government instructions, dated 22.03.2022 and 16.07.2024, as amended from time to time. And the latest certificate being relied upon by the petitioner dated 16.06.2025 can also not be looked into, since she failed to mention her PPP number in the application form. Therefore, the Commission had no occasion to ascertain her category, and it cannot be blamed for considering her candidature under General category.

4. Learned counsel for the parties have been heard and the case file has been perused.

5. As per undisputed position on record, the petitioner neither applied for the post as BC-A (non-creamy layer) category candidate, nor did she upload a valid certificate establishing that she belonged to the same. The BC-A (non-creamy layer) category certificate, dated 16.06.2025, now being relied upon to establish her claim cannot be taken into consideration as it has been issued after the closing date for submission of application forms/15.03.2025. Besides, without mentioning her PPP number in the application form, she cannot derive any benefit from the PPP certificates either. Also, *Dolly Chhanda* case (*supra*) has no application to the instant case; it held as under:

7. The general rule is that while applying for any course of study or a post, a person must possess the eligibility qualification on the last date fixed for such purpose either in the admission brochure or in application form, as the case may be, unless there is an express provision to the contrary. There can be no relaxation in this regard i.e. in the matter of holding the requisite eligibility qualification by the date fixed. This has to be established by producing the necessary certificates, degrees or marksheets. Similarly, in order to avail of the benefit of



reservation or weightage, etc. necessary certificates have to be produced. These are documents in the nature of proof of holding of particular qualification or percentage of marks secured or entitlement to benefit of reservation. Depending upon the facts of a case, there can be some relaxation in the matter of submission of proof and it will not be proper to apply any rigid principle as it pertains in the domain of procedure. Every infraction of the rule relating to submission of proof need not necessarily result in rejection of candidature.

Apparently, the *ratio* of the judgment is that possession of requisite qualification on the closing date is essential, though, in a given case, there can be some relaxation in the matter of submission of proof to substantiate holding of the eligibility qualification. However, in the instant case, admittedly, the petitioner did not have the requisite BC-A category certificate before the closing date for submission of application form, nor did she upload any document to establish that she possessed such a certificate issued in the year 2024-25 as per Government instructions dated 22.03.2022 and 16.07.2024. Her failure to fulfill the eligibility conditions before the closing date, bars her from submitting any document in proof of eligibility at this stage.

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

(TRIBHUVAN DAHIYA)
JUDGE

17.07.2025
Maninder

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