



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

250

CWP-159-2022 (O&M)

Date of decision: 20.02.2025

Mohd. Imran

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Ms. Gagan Deep Grewal, Advocate for the petitioner
Mr. Satnam Preet Singh, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. The prayer made in the present petition is for directing the respondents to consider the appointment of the petitioner to the post of Lecturer (Physics) reserved for the category of Sports (General).

2. The petitioner being a member of the Kho-kho team under-19 category won one silver medal in the 53rd National School Games while representing the State of Punjab and was issued a B-Grade certificate on 03.09.2009.

3. He applied pursuant to the advertisement dated 21.04.2021, based on the aforesaid certificate under the Sports category (General) and obtained 48 marks in the written exam.

4. An amendment having taken place in the Punjab Sports Recruitment Rules, 1988 on 20.07.2020, as per which for being considered under the category in question, the participation in Senior Championship/Senior National Games was required, while admittedly the participation of the petitioner in the National School Games, thus, no fault can be found with the decision of the respondents to hold him ineligible.

5. The contention of the learned counsel that the petitioner ought to

have been informed regarding the amendment at the time of filling the application form wherein the word ‘senior’ before the event was added cannot be countenanced as it is for the candidate to keep himself abreast of the developments.

6. Likewise the submission with regard to the fact that in the reply received by him under the Right to Information Act dated 23.08.2021, Annexure P-10, the game mentioned was Senior National/National also does not cut much ice as there can be no estoppel against the statute, wherein the event in which the petitioner participated was not recognized for consideration under the Sports category (General).

7. Mere fact that the petitioner had been called for scrutiny of documents and states in the petition to be the only eligible candidate under the said category cannot be said to have created any vested right in him for appointment particularly in wake of the amended statutory rules, as a candidate claiming reservation in a particular category ought to have fulfilled the criteria thereof, which he did not.

8. Moreover, in para 12 of the petition itself it has been averred that fresh advertisement was also issued on 02.09.2021 for filling up vacancies of Physics (Lecture) two of which were under Sports category (General).

9. In view of the above, the petition being bereft of merit is hereby dismissed.

20.02.2025

(AMAN CHAUDHARY)
JUDGE

M.Kamra

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No