

**CWP-27039-2025****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****109****CWP-27039-2025****Date of Decision: 11.09.2025****Aaina****...Petitioner****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Ved Pal Malik, Advocate for the petitioner

Mr. Ashok Kumar Khubbar,
Additional Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 01.09.2025 whereby she has been discharged from service.

2. The petitioner, pursuant to Advertisement No.4/2020 dated 30.12.2020, applied for the post of Female Constable. She belongs to Bishnoi Community. She inadvertently ticked category of 'Dependent Freedom Fighter' (for short 'DFF') in the application form which was submitted through CSC, Village Ratta Khera. She appeared in the written test which was followed by Physical Screening and Physical Measurement Test. She did not submit DFF Certificate during scrutiny of documents. The respondent declared result on 11.02.2024 wherein she was declared successful. She was allocated District Nuh. The respondent by impugned order dated 01.09.2025 has discharged her from service. She has been

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discharged on the ground that she did not produce DFF Certificate during scrutiny of documents. She has secured 27.21 marks whereas last selected candidate under General Category secured 64.50 marks.

3. Learned counsel for the petitioner submits that the petitioner did not submit DFF Certificate still she was recommended by Commission. She submitted affidavit before the Authorities that she belongs to Bishnoi Community and does not possess DFF Certificate still was permitted to join. She has already completed 9 months training. Her discharge, at this stage, is stigmatic and cumbersome. She is having a 3 years old child. She could not give company to her child due to training. She had clarified her stand in her affidavit furnished in July' 2024 still was permitted to join.

4. From the perusal of record, it is evident that petitioner does not belong to DFF category. She applied under DFF category. She actually belongs to General Category. She had secured 27.21 marks whereas cut-off under General Category was 64.50. There was no matching in the cut-off and marks obtained by petitioner. She was totally ineligible for the post still was selected under DFF Category because she had opted said category in the application form. She did not submit DFF Certificate at the time of scrutiny of documents still she was considered by Commission. She is claiming that she had filed affidavit in July' 2024 before Superintendent of Police, Nuh still Superintendent of Police, Nuh permitted her to join.

5. From the afore-stated facts, it appears that the petitioner intentionally or otherwise opted wrong category. The respondent, at the threshold, could not detect intentional or unintentional claim of the petitioner. As soon as mistake came in the knowledge of the Commission, it was corrected. It is settled proposition of law that nobody can claim benefit

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of mistake of another one. The mistake was from both sides either intentional or unintentional. The petitioner claims that she corrected her mistake well within time. The respondent corrected its mistake as soon as it came in its knowledge. The petitioner cannot claim post to which she was not entitled. She is claiming that she has undergone training of 9 months. The respondent must have paid salary for the said period. The respondent has incurred expenses on her training, thus, it cannot be accepted that it is only petitioner who has suffered.

6. In the wake of above discussion and findings, this Court is of the considered opinion that present petition being bereft of merit deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

11.09.2025*Mohit Kumar*

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