



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

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**LPA-2140-2023 (O&M)**  
**Date of Decision:27.11.2025**

CHARAN SINGH

....APPELLANT(S)

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA  
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. G. S. Gopera, Advocate  
for the applicant-appellant.

Mr. Saurabh Mohunta, DAG, Haryana.

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**ASHWANI KUMAR MISHRA, J. (ORAL)**

**CM-5361-LPA-2023**

This application under Section 5 of the Limitation Act has been filed on behalf of the applicant-appellant seeking condonation of delay of 125 days in filing the accompanying appeal.

For the reasons mentioned in the application, the same is allowed and the delay of 125 days in filing the accompanying appeal stands condoned.

**Main Case (O&M)**

1. This appeal assails the order of the learned Single Judge dated 17.07.2023 whereby, the writ petition filed by the appellant seeking appointment against Advertisement No.3 of 2015 dated 28.06.2015 has

been rejected.

2. It is undisputed that the appellant applied in the quota meant for '*Special Backward Category*'. This quota consisted of five castes and the reservation in that regard was withdrawn by the State. The decision to withdraw such reservation has attained finality. It was in this context that the appellant was considered in the General Category and since his marks were below the cut-off in open Category, he was not selected. An earlier writ petition filed by the appellant being CWP-10268-2019 was also dismissed after noticing the fact that appellant had secured marks below the cut-off and due to his low merit he was not entitled to selection.

3. A fresh writ petition being CWP-14325-2023 has, thereafter, been filed by the appellant in the year 2023 stating that he be considered under the '*Economic Backward Person in General Caste*'.

4. Learned Single Judge has dismissed the writ petition on the ground that after nearly 10 years of the recruitment, no justification arises for entertaining the appellant's plea when the selection process is already over. Learned Single Judge has also observed that the cause raised by the petitioner was available to him when he earlier filed CWP-10268-2019 and filing of the second petition would be hit by the principles of constructive *res judicata*. We, therefore, are of the view that the learned Single Judge is justified in dismissing the second writ petition filed by the petitioner on such ground. Therefore, we find ourselves to be in agreement with the view taken by the learned Single Judge.

5. In that view of the matter, the instant appeal filed on behalf of the appellant fails and is accordingly dismissed.

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

[ASHWANI KUMAR MISHRA]  
JUDGE

[ROHIT KAPOOR]  
JUDGE

NOVEMBER 27, 2025  
*Rahul Joshi*

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|------------------------------|--------|
| 1. Whether Speaking/reasoned | Yes/No |
| 2. Whether Reportable        | Yes/No |