



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

CWP-32065-2025

Reserved on : 18.11.2025
Pronounced on : 27.11.2025
Uploaded on : 28.11.2025

Rekha RaniPetitioner

versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Mohit Garg, Advocate for
Mr. Digvijay Nagpal, Advocate for the petitioner.

Mr. Swapan Shorey, D.A.G., Punjab

NAMIT KUMAR, J. (ORAL)

1. The petitioner has invoked the writ jurisdiction of this Court by filing the instant petition under Article 226/227 of the Constitution of India, seeking a writ of certiorari for quashing the final merit list (Annexure P-2) for the post of Multipurpose Health Worker and a writ of mandamus, directing the respondents to consider the petitioner for selection for the abovesaid post on the basis of merit and eligibility. Further directions have been sought for directing respondent No.4-Central Bureau of Investigation to conduct the investigation of the recruitment process of the abovesaid post in a fair and impartial manner.

2. The brief facts, as have been pleaded in the petition, are that vide Advertisement No.BFU-23/17, 985 posts of Multipurpose Health Workers were advertised and the petitioner being fully eligible applied for the said post under Sports SC (M&B) category and

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respondent No.2 issued Registration No.386576 and also Roll No.434370 to the petitioner. The written examination for the said post was held on 07.01.2024 in which the petitioner duly appeared and qualified the same by getting 52.75 marks and thereafter, she was called for counselling and for the verification of documents on 26.06.2024 and the petitioner duly appeared for verification of documents and at that point of time, she came to know about the mistake committed by the Computer Operator, who had filled her application form, that her application had been erroneously submitted under Sports SC (M&B) category instead of SC (M&B) category. She discussed about the said mistake with respondent No.2, who gave assurance to her that the mistake shall be rectified and qua that he even took an affidavit from the petitioner. However, respondent No.2 disqualified the petitioner, despite the fact that she secured 52.75 marks in the written examination and being fully eligible for appointment as Multipurpose Health Worker in SC (M&B) category, whereas the persons who had secured only 47 marks in written examination were selected for the abovesaid post. Hence, the present petition.

3. Learned counsel for the petitioner submits that at the time of filling the form of the petitioner for the post of Multipurpose Health Worker, the Computer Operator inadvertently selected Sports SC (M&B) category instead of SC (M&B) category and the said fact came to the notice of the petitioner at the time of verification of documents and she immediately discussed about the said mistake with respondent No.2 who gave assurance to the petitioner that they will correct the said

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mistake and qua that even took an affidavit in support from the petitioner, however, respondent No.2 had disqualified the petitioner. He further submits that the petitioner had secured 52.75 marks and is eligible to be appointed as Multipurpose Health Worker in SC (M&B) category as the persons who had secured only 47 marks in written examination were selected for the abovesaid post. He further contends that for redressal of her grievance, the petitioner submitted a representation dated 05.07.2025, bringing to the notice of the respondents the typographical mistake in the selection of her category, which had been committed by the Computer Operator and requested for reconsideration of her candidature under the correct category i.e. SC (M&B), however, no action has been taken by the respondents on the said representation. He further submits that a fraud had been perpetrated by respondents No.2 & 3, as 01 mark was awarded for one year experience, and several candidates had submitted forged experience certificates in support of their application for the said post and they were selected on the basis of such forged certificates. The petitioner requested inspection of the experience certificates of other candidates who were selected, but respondents No.2 and 3 have not supplied any document to the petitioner. Therefore, the final merit list (Annexure P-2) for the post of Multipurpose Health Worker may be quashed and directions may be issued to the respondents to consider the candidature of the petitioner for selection on merit and eligibility under the SC (M&B) category instead of Sports SC (M&B) category and direction may also be issued



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to respondent No.4 to conduct the investigation of the abovesaid recruitment process in a fair and impartial manner.

4. On receipt of advance copy of the petition, learned State counsel has appeared on behalf of respondents No.1 & 2 and submits that firstly, the selected candidates have not been impleaded as party-respondents in the present petition and therefore, no adverse order against the interest of the said candidates can be sought by the petitioner in the present petition and secondly, now the selection process for the post of Multipurpose Health Worker is already over as it is the case of the petitioner herself that final selection list (Annexure P-2) has been published and the candidature of the petitioner has already been considered under the Sports SC (M&B) category and having not been selected and appointed, she now cannot make a grievance for change of category from Sports SC (M&B) to SC (M&B). In support of his contentions, he has placed reliance upon the judgment of Hon'ble Supreme Court in *The State of Bihar and others Vs. Madhu Kant Ranjan and another : 2022(1) SCT 223*, wherein it has been held that the terms and conditions of the advertisement are sacrosanct and the same have to be complied with under all circumstances. He has further placed reliance upon the judgment passed by this Court in *CWP No.1721 of 2023 titled as 'Raj Kumar Vs. State of Punjab and others', decided on 23.02.2023* and submits that the present petition be dismissed on the basis of the above referred judgments.



5. After hearing learned counsel for the parties and perusing the record, this Court finds sufficient force in the submissions made by learned State counsel.

6. As per the settled principle of law, the terms and conditions of the employment notice are sacrosanct and are to be complied with by all competing candidates and no change can be allowed in the applied category, once the said category has been duly filled by the candidate himself/herself. In the present case, at the time of filling the application form for the post of Multipurpose Health Worker, the petitioner has applied under Sports SC (M&B) category and accordingly her candidature has already been considered under the said category and, therefore, now at this fag end, when the selection process for the said post(s) is over, the petitioner cannot be allowed to change her category from Sports SC (M&B) to SC (M&B).

7. As per the judgment of the Hon'ble Supreme Court in ***J & K Public Service Commission Vs. Israr Ahmad and others : 2005(12) SCC 498***, no change in the category once applied for, can be done at a later stage. The relevant paragraph 6 of the said judgment is as under:-

“6. We have considered the rival contentions advanced by both the parties. The contention of the first respondent cannot be accepted as he has not applied for the selection as a candidate entitled to get reservation. He did not produce any certificate along with his application. The fact that he has not availed the benefit for the preliminary examination itself is sufficient to treat him as a candidate not entitled to get reservation. He passed the preliminary examination as a general candidate and at the subsequent



stage of the main examination he cannot avail the reservation on the ground that he was successful in getting the required certificate only at a later stage. The nature and status of the candidate who was applying for the selection could only be treated alike and once a candidate has chosen to opt for the category to which he is entitled, he cannot later change the status and make fresh claim. The Division Bench was not correct in holding that as a candidate he had also had the qualification and the production of the certificate at later stage would make him entitled to seek reservation. Therefore, we set aside the judgment of the Division Bench and allow the appeal.”

8. While dealing with the similar issue in ***Raj Kumar’s case (supra)***, this Court has held as follows :-

“7. In view of the specific stipulation under clause (5) of the recruitment notice, at this stage, particularly when the selection process has already been completed for the general category, this Court does not find it appropriate to exercise its writ jurisdiction under Article 226 of the Constitution of India. In such matters, the Court can issue a writ only if the petitioner makes out a good case. Though, it may be harsh for the petitioner, however, any interference, at this stage, may result in opening a Pandora box which would not be in the interest of justice.

8. With the observations made above, the present writ petition is disposed of.”

9. Similarly, in ***CWP No.2907 of 2022 titled as ‘Bhupinder Singh Vs. State of Punjab and others’ decided on 22.01.2025***, this Court observed as under:-

“2. Learned State counsel has referred to the judgment passed by this Court in “Arashdeep Singh vs. State of



Punjab and another”, CWP-17825-2020, decided on 18.10.2024, involving the same issue, as per which the present petition is liable to be dismissed, relevant paras whereof read thus:-

“It is a conceded fact that as per the application form submitted by the petitioner, he had applied in the General Category and though he wanted to change the category but as per the conditions of the Advertisement, which are sacrosanct, no change can be allowed.

Further, the petitioner appeared in the examination despite the fact that the Roll Number was issued in the General Category and petitioner participated in the selection process under a Roll Number issued in General Category and it is thereafter, the petitioner had filed the present petition for change of his category from “General” to “Backward Class”. In case, the petitioner had come to know that he had filled incorrect category, he should have approached this Court before the last date to fill the application form to claim the said benefit, which claim was never raised by the petitioner.

*As per the judgment of the Hon’ble Supreme Court of India in “**J&K Public Service Commission Vs. Israr Ahmad and Ors.**”, decided on 07.01.2005, category once applied for can be allowed to be changed after participating in the selection process. In the present case, the claim raised by the petitioner is contrary to the settled principle laid down by the Hon’ble Supreme Court of India in “**J & K Public Service Commission Vs. Israr Ahmad and others**”*



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as well as by the Co-ordinate Bench in Gurpreet Singh’s case (supra).

No ground is made out by this Court to interference in the present petition.

Hence, the present petition is dismissed.”

10. Since, it is a settled proposition of law that a candidate has to comply with all the conditions/eligibility criteria as per the advertisement, the petitioner, who is an educated lady and competing for the post of ‘Multipurpose Health Worker’ cannot be allowed to contend that she did not check her application form before submitting the same, even the same was filled in Cyber Cafe, and moreover, when the recruitment process of the post and category in question is complete, the claim of the petitioner to allow her to change her category from ‘Sports SC (M&B)’ to ‘SC (M&B)’ cannot be allowed at this fag end. Furthermore, the selected/appointed candidates have not been impleaded as party-respondents in the present petition, therefore, no relief can be sought by the petitioner with regard to their selection.

11. In view of the foregoing reasons as well as settled proposition of law laid down by the Hon’ble Supreme Court and this Court, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

12. Accordingly, the writ petition is dismissed.

27.11.2025

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No