

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CWP-36286-2025

DECIDED ON:11.12.2025

RAVI

...PETITIONER

VERSUS

UNION OF INDIA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Mohan Singla, Advocate
for the petitioner

SANDEEP MOUDGIL, J

1. Prayer

The petitioner has invoked the jurisdiction of this court under Article 226/227 of the Constitution of India seeking quashing of the impugned rejection slip dated 18.11.2025 (Annexure P-7) rejecting the petitioner's candidature for Constable (Driver-cum-DCPO) despite his successful qualification in the LMV trade test, and a further direction to the respondents to consider his candidature valid and allow him to participate in the remaining selection process.

2. Brief Facts

The petitioner, an OBC category candidate applied for recruitment to the post of Constable (Driver-cum-DCPO) in CISF pursuant to the recruitment notice issued in January 2025 for 1124 posts. The petitioner fulfilled all eligibility conditions, including age, educational qualification, and possession of a valid driving licence with requisite experience applied for the post. He successfully qualified the PET/PST conducted on 20.09.2025 and was thereafter called for documentation and trade (driving) test on 18.11.2025 at Chandigarh.

The petitioner appeared in the driving trade test and successfully completed the first round of driving test without hitting any object or touching the outline. The entire driving test was video-recorded by the recruiting authorities. Candidates who committed errors were disqualified on the spot, however, the petitioner was allowed to complete the round and was made to sit with other successful candidates awaiting the next round. Subsequently, without assigning any reason, the recruitment staff orally informed the petitioner that his candidature stood rejected. On the petitioner's insistence, the video recording of his driving test was played on the spot, which, according to the petitioner, clearly showed that he had driven correctly without any violation. Despite this, the authorities insisted on rejecting his candidature and attempted to obtain his signature on a rejection slip, which he refused. He was sent back late at night and was not permitted to participate in the next round of the driving test, thereby depriving him of the opportunity to avail the same-day appeal.

The petitioner immediately submitted representations dated 20.11.2025(Annexure P-5) through email and registered post, followed by a reminder email dated 22.11.2025(Annexure P-6), but to no avail. On 26.11.2025, he received by post a rejection slip dated 18.11.2025(Annexure P-7) stating that he was "not qualified in trade test for driving of LMV."

Aggrieved by the same, the present petition has been filed.

3. Contentions
On behalf of Petitioner

Learned counsel for the petitioner submitted that the petitioner is fully eligible for the post of Constable (Driver-cum-DCPO) participated for recruitment and successfully qualified the PET/PST and appeared for the trade test on 18.11.2025, where he drove the vehicle correctly in the first round, as

evident from the video recording maintained by the respondents. Despite this, the petitioner's candidature was arbitrarily and with malafide rejected without any valid reason, and he was not allowed to appear for the subsequent round of the driving test or to file an appeal on the same day.

Learned Counsel argued that the rejection slip dated 18.11.2025(Annexure P-7), received on 26.11.2025, is wholly contrary to the record and, therefore, illegal and arbitrary. It was further submitted that the petitioner had filed representations dated 20.11.2025(Annexure P-5) through email and registered post, followed by a reminder email dated 22.11.2025(Annexure P-6), which were ignored, causing irreparable prejudice, as this was his last recruitment opportunity due to age of the petitioner.

Counsel prayed that the impugned rejection be quashed, the petitioner's candidature be restored, and interim directions be issued allowing him to participate provisionally in the remaining selection process pending disposal of the writ petition.

4. Analysis

On hearing learned counsel for the petitioner and perusal of the record, it is noted that the petitioner has challenged the impugned rejection of his candidature by the respondent authorities in the recruitment process for the post of Constable (Driver-cum-DCPO). The petitioner alleges that he had successfully completed the first round of the driving trade test and that the respondents acted arbitrarily in rejecting his candidature without allowing him to participate in the subsequent rounds and without affording him an opportunity of appeal on the same day.

Scope of Judicial Review

It is a settled proposition of law that judicial review under Article

226 of the Constitution of India is supervisory and not appellate in nature. The

High Court does not sit in appeal over administrative or quasi-judicial decisions merely because a candidate feels aggrieved by the outcome of a selection process. The writ of *certiorari* can be issued only when there is an error apparent on the face of the record, lack of jurisdiction, non-application of mind, irrationality or violative of statutory norms or constitutional mandates. It cannot be used to re-evaluate the merits of an individual's performance in a competitive test which is essentially a factual determination made by the competent authority unless there is a clear patent illegality or violation of principles of natural justice. The Supreme Court has consistently held that evaluation of candidates in recruitment tests, especially involving skill, technical or physical parameters, is a domain of the competent authority, and courts ordinarily refrain from interfering unless there is patent illegality, *mala fide* or violation of statutory norms. Guidance may be derived from “***Sanchit Bansal v. Joint Admission Board (JAB) 2012 (1) SCC 157***” wherein the Apex court held that,

“19. Thus, the process of evaluation, the process of ranking and selection of candidates for admission with reference to their performance, the process of achieving the objective of selecting candidates who will be better equipped to suit the specialised courses, are all technical matters in academic field and courts will not interfere in such processes. Courts will interfere only if they find all or any of the following : (i) violation of any enactment, statutory Rules and Regulations; (ii) mala fides or ulterior motives to assist or enable private gain to someone or cause prejudice to anyone; or where the procedure adopted is arbitrary and capricious. An action is said to be arbitrary and capricious, where a person, in particular, a person in authority does any action based on individual discretion by ignoring prescribed rules, procedure or law and the action or decision is founded on prejudice or preference rather than reason or fact. To be termed as arbitrary and capricious, the action must be illogical and whimsical, something without any reasonable explanation. When an action or procedure seeks to achieve a specific objective in furtherance of education in a bona fide manner, by adopting a process which is uniform and non-discriminatory, it cannot be described as arbitrary or capricious or

mala fide.”

In the present case, other than the petitioner’s personal assertion that he had performed satisfactorily in the test, there is no material on record to demonstrate that the respondents acted in excess of jurisdiction or failed to apply their mind in accordance with the rules prescribed in the recruitment notification. The advertisement/selection procedure fixed the criteria for trade test and its evaluation. If the respondents on examination of their records and evidence, including any video recording, have reached a conclusion as to the petitioner’s performance, it is not for this Court to substitute its own view unless there is a clear violation of statutory norms or *patent arbitrariness*.

While courts must ensure that decisions affecting fundamental rights and legitimate expectations are free from arbitrariness and non-discriminatory, mere dissatisfaction with an assessment of performance in a trade or physical test, without material showing procedural lapses or bias, does not warrant judicial interference. Recruitment decisions involving subjective evaluation of performance, particularly in physical or trade tests, are to be left to the expertise and discretion of the authorities, subject to the obligation to act fairly and reasonably.

It is also relevant to note that the mere absence of detailed reasons in the rejection slip dated 18.11.2025(Annexure P-7) does not demonstrate *patent arbitrariness* where the record does not otherwise disclose a breach of prescribed norms.

5. Conclusion

In view of the circumstances of this case and in the absence of any cogent evidence of non-application of mind or denial of principles of natural justice or mala fide conduct, the petition does not disclose any ground warranting interference by this Court under writ jurisdiction. The impugned

rejection appears to have been issued in accordance with the recruitment procedure and within the scope of the authority of the respondents.

Accordingly, the present writ petition being devoid of merit, stands dismissed.

11.12.2025
anuradha

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

:Yes/No
:Yes/No