

CWP-1755 of 2026

2026.PHHC:048743



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-1755 of 2026

Tejpal Singh
.....Petitioner
versus

State of Punjab and another
.....Respondents

CWP-2307 of 2026

Jatinder Singh
.....Petitioner
versus

State of Punjab and another
.....Respondents

Sr. No.	Particulars	Details
1.	The date when the judgment is reserved	24.03.2026
2.	The date when the judgment is pronounced	27.03.2026
3.	The date when the judgment is uploaded on the website	27.03.2026
4.	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Argued by: Mr. G.S. Dhot, Advocate,
for the petitioner(s).

Mr. Swapan Shorey, DAG, Punjab.

NAMIT KUMAR, J.

1. By this common order, afore-mentioned two writ petitions are being disposed of as common questions of law and facts are involved therein. For the sake of brevity, facts are being taken from CWP-1755 of 2026.



2. Instant writ petition has been filed under Articles 226 and 227 of the Constitution of India, for issuance of a writ in the nature of *mandamus* directing respondent No.2 to consider the petitioner in the Physically Handicapped category (Blind and Low Vision) in the Punjab State Civil Services Combined Competitive Examination, 2025 (Annexure P-1) in the result of its Preliminary Examination (Annexure P-6) and to allow the petitioner to appear in the Mains Examination as he has obtained more marks than the last qualified candidate in his category.

3. The brief facts of the case, as have been pleaded in the petition, are that on 02.01.2025 (Annexure P-1), respondent No.2 issued advertisement No.20251 for conducting Punjab State Civil Services Combined Competitive Examination, 2025 for filling up of 322 posts of different categories. The said examination was to be conducted in two parts i.e. Preliminary Examination and Mains Examination followed by interview. The application forms for the said examination were to be submitted online. The petitioner being fully eligible applied for the said examination. As the petitioner suffered from 100% visual impairment (blind) and was not able to fill the application form on his own, therefore, he got filled the same from a computer operator of a cyber cafe. The petitioner informed the computer operator about his disability and provided him all necessary documents, including the disability certificate dated 01.01.2021 (Annexure P-2). The computer operator assured the petitioner that application form of the petitioner had been

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filled as per his instructions. The application form of the petitioner was accepted. Respondent No.2 issued admit card to the petitioner for the preliminary examination to be conducted on 07.12.2025. As per the request of the petitioner, one Manjinder Singh was provided as scribe to him for the purpose of preliminary examination. In the result of preliminary examination, declared by respondent No.2 on 09.01.2026 (Annexure P-6), petitioner secured 60 marks in the paper of General Studies and 102.50 marks in the paper of CSAT. However, petitioner came to know that he was considered in the General Category by respondent No.2. In the category-wise cut-off of the preliminary examination in the category of Physically Handicapped (Blind and Low Vision), the candidates who secured 40 marks were declared successful and eligible for Mains Examination. Although, petitioner has secured 60 marks in the preliminary examination, however, he was not declared as eligible for the mains examination by considering him in the General Category. Through the instant writ petition, petitioner has sought to change his category from General (71) to Persons with Disabilities (Blind and Low Vision) (76-A).

4. Learned counsel for the petitioner submitted that the petitioner being 100% blind was dependent upon the cyber cafe/computer operator to fill up the application form for the Punjab State Civil Services Combined Competitive Examination-2025. Due to blindness of the petitioner, despite instructions, the computer operator committed mistake and mentioned the category of the petitioner as

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‘General’ instead of ‘Persons with Disabilities (Blind and Low Vision)’. He further contended that the mistake was neither intentional nor wilful but due to the circumstances beyond the control of the petitioner. He further submitted that for the mistake of other person, petitioner should not be penalised and he be permitted to appear in the Mains Examination in the category of Persons with Disabilities (Blind and Low Vision).

5. *Per contra*, learned State counsel submitted that the applications have been invited strictly as per the terms of the advertisement dated 02.01.2025 (Annexure P-1). He further contended that no candidate can be allowed to change his/her category as the terms and conditions of the advertisement are sacrosanct and the same have to be complied with under all circumstances, therefore, present writ petition is liable to be dismissed.

6. I have heard learned counsel for the parties and perused the record.

7. As per the settled principle of law, the terms and conditions of the employment notice are sacrosanct and are to be strictly 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, the petitioner had applied under the General category. As per the ‘General Information for the Candidates’ mentioned in the advertisement, **Note 5 of point No.2.1** provides as under: -



“The candidates are advised to select their category carefully and with due diligence, as the category once selected by a candidate will not be changed under any circumstances and if found ineligible under that category will have their candidature rejected.”

Point No.6.2 stipulates thus: -

“Candidates are advised to fill their details in the online application form carefully e.g., Name, Father’s Name, Date of Birth, Category for post, Qualification, Experience, Photo and Signature, Category for fee, etc. After the final submission of online application form by the candidate, NO CHANGE WILL BE ALLOWED, and the candidate will be responsible for any mistake in the data filled in the online application form. CATEGORY ONCE SELECTED BY A CANDIDATE WILL NOT BE CHANGED UNDER ANY CIRCUMSTANCES.”

Point No.6.9 provides that no change will be allowed after submission of the application. Same reads as under: -

*“Candidate should carefully fill the details in the Online Application Form and click on the “**SUBMIT**” button at the end of the Online Application Format. Before pressing the “**SUBMIT**” button, candidates are advised to verify every detail filled in the application. **NO CHANGE/EDIT WILL BE ALLOWED AFTER SUBMITTING THE APPLICATION FORM.**”*

Further, **Note (1c) of point No.11** of the advertisement provides as under: -

*“**CATEGORY ONCE FILLED BY THE CANDIDATE SHALL BE SACROSANCT AND NO CHANGE SHALL BE PERMITTED AT ANY STAGE OF THE EXAMINATION.**”*



8. 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.”

9. While dealing with the similar issue in ***CWP-1721 of 2023 – Raj Kumar v. State of Punjab and others, decided on 23.02.2023***, this Court has held as under: -



“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.”

10. Similarly, in **CWP No.2907 of 2022 titled as ‘Bhupinder Singh Vs. State of Punjab and others’ decided on 22.01.2025**, this Court has held 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**” 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.”

11. It is well settled that the terms and conditions of a recruitment advertisement constitute the governing framework of the selection process. Both the candidates and the recruiting authority are bound by the same. Any deviation therefrom would not only be impermissible but would also undermine the sanctity of the process. In

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the present case, the advertisement explicitly provides that no change in the category shall be permitted after submission of the application form. Such a condition is neither arbitrary nor unreasonable. Rather, it ensures certainty, uniformity, and equal treatment to all candidates. The plea of the petitioner that the error occurred due to the negligence of a cyber café operator cannot be accepted as a ground to relax the mandatory condition of the advertisement. It is trite law that the responsibility of correctly filling the application form rests upon the candidate alone. Any lapse, whether by the candidate or by a person acting on his behalf, cannot be a justification for altering the terms of the recruitment process. Acceptance of such a plea would set a dangerous precedent. If one candidate is permitted to change his category after submission of the application, it would open the floodgates for similar claims by others, leading to administrative chaos and rendering the recruitment process uncertain and unmanageable. The principle of equality enshrined under Article 14 of the Constitution mandates that all candidates be treated alike. Granting an exception in favour of the petitioner would amount to extending undue benefit to one candidate at the cost of others who have complied with the conditions of the advertisement. While this Court is not unmindful of the fact that the petitioner claims to be 100% visually impaired, sympathy or hardship cannot be a ground to override the explicit terms of the advertisement or to dilute the rules governing the selection process.

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12. 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 interference by this Court in the facts and circumstances of the present case.

13. Accordingly, the writ petitions are dismissed.

27.03.2026
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No