

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-1910-2026 (O&M)

Decided on 19.02.2026

Ankit Kumar & Ors.

... Petitioners

VS.

State of Haryana & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Ms. Monika Sangwan, Advocate and
Mr. Vikas Sangwan, Advocate for the petitioners

Mr. Sanjiv Kaushik, Addl. AG Haryana

Sandeep Moudgil, J.

(1). By this order, I shall dispose of CWP No.1910, 2207, 2677, 2686 of 2026 as common issues are involved. For facts, CWP-1910-2026 is treated as the lead case.

Prayer

(2). The jurisdiction of this Court has been invoked under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of *certiorari* quashing the action of respondent No.2 HSSC for not allowing the present petitioners to apply for the CET Phase 2 examination against Advt. No. 01/2026 dated 01.01.2026 (Annexure P-21) in their respective correct parental reserved categories in the online applications invited by the HSSC from 11.01.2026 to 25.01.2026, and also the action of not allowing the petitioners to correct the inadvertent and bonafide minor mistake committed by the CSC operator in choosing and entering the correct category in the CET 2025 Phase 1 registration form in spite of uploading correct and legitimate parent category certificate and entering correct certificate no. in the application form, being

arbitrary and unjustified and in violation of Articles 14 & 16 of Constitution of India.

Proceedings

(3). Notice of motion was issued on 23.01.2026 and this Court granted the respondents to file its reply particularly on the instructions as to whether the petitioners had qualified for the CET Stage II Examination and also granted provisional permission to the petitioners to sit in CET Stage II Examination under Advertisment No.01/2026 irrespective of their category certificate and also allowed the petitioner to submit their forms physically in case the online portal was not accepting the same.

(4). At the outset, learned counsel for the petitioners does not press the instant writ petition qua petitioner No.2 Dinesh in CWP-2677-2026 and qua petitioner No.4 Gurmeet Singh in CWP-1910-2026.

Contentions of the petitioners

(5). Learned counsel for the petitioner submits that the wrong entry of category in their CET Phase-1 registration is a bona fide and inadvertent error attributable to the CSC operator, as is evident from the fact that the correct category certificates and correct certificate numbers were uploaded with the application. They contend that such a technical mistake, which does not involve any misrepresentation or change in their actual social status, should not operate as a bar to their applying against 5,500 posts of Constable under Advertisement No. 01/2026, particularly when the last date for applying is 25.01.2026 and the present online system auto-fetches the wrong category from the earlier CET data without giving any option to correct it. Compelled by the software architecture, they are being forced to apply under an incorrect category and

therefore seek a direction that they be treated as candidates of their correct parental category for all purposes in the selection under Advertisement No. 01/2026 and in subsequent advertisements that may be finalized in future.

(6). It is further urged that the HSSC online portal does not provide any window for modification or cancellation of finalised applications to rectify such common, bona fide errors which do not amount to gross negligence or misrepresentation, whereas many other recruiting bodies do provide such correction facilities. Reliance is placed on the judgment of the Supreme Court in *Dolly Chhanda v. Chairman, JEE, (2005) 9 SCC 779*, to contend that non-submission or wrong submission of a document at the application stage should not, by itself, lead to rejection if the candidate was otherwise eligible by the last date and produces the correct document at the stage of verification; on the same analogy, the petitioners submit that they cannot be penalised for a curable, clerical category error when their true category is duly supported by certificates and can be verified at the document verification stage.

Respondents counter:

(7). Learned State counsel submits that once the petitioners had uploaded the signed application form and took responsibility of the data, they cannot shift the entire burden of their own mistake and since they participated in the advertisement and filled in wrong/incorrect particulars, they cannot be allowed to roll back at a stage, when result of AdvtNo.1/2025 has already been declared. He quote Clause 5.1 of the advertisement to contend that the candidates will need to fill the required particulars till closing date and no change of particulars at any stage shall be entertained and various other clauses to reinforce his argument that the advertisement is a magna carta for the

selection process and the instructions mentioned therein cannot be deviated from for conducting the recruitment fairly.

(8). He argued that the petitioners had participated in the entire selection process and did not challenge it at any stage and now when the results are declared, they cannot be permitted to turn around and challenge it on the ground that the categories were inadvertently mentioned wrong. He submits that the petitioners participated in the selection process without raising any objection and now they should be estopped from taking undue benefit under the principle of waiver and estoppels. Reliance has been placed on Delhi High Court judgment rendered in WP(C) No.12698/2023 Nisha Khan vs. Delhi Police & Anr.

Analysis

(9). It would be apt to quote the order dated 01.07.2025 passed by a Coordinate Bench in CWP-17581-2025 (Sheetal & Ors. vs. State of Haryana & Anr.) which pertained to similar advertisement with identical issues. The said order read as under:-

Present: Mr. Charanji Lal, Advocate, for the petitioners.

*Sh. Pravindra Singh Chauhan, Advocate General, Haryana with
Ms. Dimple Jain, DAG, Haryana.*

Learned counsel appearing on behalf of the petitioner(s) contends that the case in hand involves multi-dimensional questions about rights of applicants for Common Eligibility Test (CET):

(i) As per the advertisement, the candidates were required to obtain necessary certificates, for claiming the benefit of reservation, to be issued on or after 01.04.2025. He submits that the closing date for submission of applications, as extended, was 14.06.2025, hence, only a period of merely 2½ weeks was available to the candidates to submit the application. The requests on online service portal for issuance of reservation certificates were submitted by various candidates, however, the respondents admit that on account of

technical glitches, the respective reservation certificates could not be issued to various applicants. Faced with the closing date deadline, the candidates submitted applications as 'General Category' candidates without awaiting further for the issuance of certificates for the reserved categories. He contends that the candidates claiming the benefit of reservation thus are deprived to exercise their right to claim reservation due to non-issuance of reservation certificates by the respondent authorities for which they should not be held liable;

(ii) petitioner no.6 herein could not submit the application on time since the OTP, which was essential for filling up the application form, had not been received by her due to technical glitches at the ends of the respondent and for no fault on the part of petitioner No.6;

(iii) a fraudulent website link had also come in existence and certain candidates submitted their applications on the fraudulent link <https://onetimeregn.examinationservices.in/login1.php>. He submits that the Government of Haryana acknowledged the aforesaid fraud as well as the factum of 75 candidates having been duped of application money to the tune of Rs.25,000/- and registered a criminal case in this regard as well. He submits that the said candidates may be allowed to submit their applications despite the closing date; and

(iv) it is further submitted that only a period of nearly 2½ weeks had been made available to the candidates to submit applications, which was insufficient, hence, a large number of candidates could not submit their applications.

Notice of motion.

The Deputy Advocate General, assisting learned Advocate General Haryana, accepts notice.

Learned Advocate General, Haryana, on instructions from Mr. Parvesh Khokhar, District Attorney, Haryana Staff Selection Commission submits that in so far as the cases of candidates who had submitted their online application(s) for issuance of the respective reservation certificates on the Saral portal before the closing date and had also applied in the general category awaiting the issuance of the reservation certificates are concerned, those applicants shall be considered under the respective reserved category on the applicants producing the respective certificate of eligibility, in relation to the respective classes for which the benefit of reservation has been claimed, as and when they are required to do so by the Haryana Staff Selection Commission for which Public Notice/information shall be sent to all

candidates. He thus contends that the grievance of such candidates shall be duly redressed.

In relation to the other arguments advanced by the counsel for the petitioners about the candidates having submitted applications on a fraudulent link, he submits that the State cannot allow the dilution of the cut-off date merely because the candidates were negligent in opening the link or had not submitted the application on the correct link available on the Government portal.

With respect to the claim of the petitioners that insufficient time was granted to the candidates to submit applications, it is submitted that more than 13 lakhs applications had been received within the aforesaid period, hence, it cannot be said that the period was not sufficient to afford opportunity to the candidates to apply. He further contends that the State is even otherwise under directions by this Court to hold the CET examination expeditiously. It is submitted that such a large number of candidates having applied pursuant to the advertisement is an argument unto itself against the contention raised by the petitioners.

While adverting to the claim that the OTP was not being generated to one petitioner No.6, it is submitted that such an isolated case of aberration can never be verified. The very fact that large number of candidates had applied shows that the issuance of the OTP was seamless.

He further submits that general and non-specific argument espousing a general cause cannot be raised by the petitioner and that each candidate's claim has to be examined on the basis of specific averments and pleading made by the respective parties. A prayer thus has been made for grant of time to enable the respondents to file the reply to the averments contained in the petition, on merits.

Adjourned to 05.09.2025.

Reply(ies), if any, be filed on or before the next date of hearing with a copy in advance to the counsel opposite.

In the meanwhile, the respondent Haryana Staff Selection Commission shall abide by its undertaking with respect to the candidates belonging to reserved categories, who had applied under the general category before the cut-off date as extended i.e. 14.06.2025 for want of reserved category certificates, provided they had submitted their online applications for issuance of respective reservation certificates to the competent authority as per the online procedure, prior to the last date of submission of the online application for the CET."

(10). In *Sheetal's* case , while dealing with identical CET-based recruitment, this Court recorded the unequivocal statement of the learned Advocate General that all candidates who had, before the last date, (i) applied for issuance of the requisite reservation certificate on the designated online portal, and (ii) meanwhile submitted their CET application as “General Category” due to non-issuance of such certificate, would be considered in the respective reserved category upon production of the eligibility certificate at the stage when HSSC calls for it, and directed HSSC to abide by that undertaking. The grievance of the present petitioners is materially similar in that, due to a technical/portal-driven constraint and bona fide error, they are unable to exercise their right to be considered under their correct parental category despite possessing valid category certificates and having no element of misrepresentation. Their prayer is only that they be treated in their correct category for Advertisement No. 01/2026 (and like CET-linked recruitments).

(11). Accordingly, following the principle and approach adopted in *Sheetal's*, case this writ petition is disposed of with a direction that the respondent-Haryana Staff Selection Commission shall treat the petitioners as belonging to their correct parental reserved category, in all respects, for the purposes of the selection against Advertisement No. 01/2026, provided they (a) were otherwise eligible in that category as on the last date of application, and (b) produce the requisite, valid reservation certificates as and when called upon to do so during the selection process. It is further clarified that, consistent with *Sheetal's* case, HSSC may issue an appropriate public notice or individual intimation prescribing the manner and stage at which such certificates are to be produced, and on such production the petitioners' candidature shall be

considered in their correct category without being rejected merely on account of the earlier inadvertent wrong category reflection in the CET-linked online form.

(12). Pending applications stand disposed of accordingly.

19.02.2026
V.Vishal

(Sandeep Moudgil)
Judge

1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No