

2026.PHHC:049206



266.

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

CWP-5681-2026

Date of decision: 30.03.2026

Gurloveleen Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Ravinder Malik, Advocate, for the petitioner.

Mr. Amarpreet Singh Bains, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India, claiming the following reliefs:-

i. For issuance of an appropriate writ, order or direction, especially in the nature of certiorari, for quashing Advertisement No. 20251 dated 02.01.2025 (Annexure P-4), to the extent that it:

Creates and treats "Category 76 Persons With Benchmark Disabilities" as a stand-alone and mutually exclusive vertical reservation compartment, contrary to the settled constitutional position that reservation for PwBD is horizontal and interlocking;

Incorporating vide Clauses 6.2 and 6.11, mandating that a candidate may apply in "only one category" and that the category once selected shall not be changed under any circumstances, thereby compelling an impermissible election between vertical and horizontal entitlements;

Enforcing vide Note 4 providing that a PwBD candidate found ineligible, shall not even be considered in his/her basic category, being arbitrary, punitive and violative of Articles 14 and 16 of the Constitution of India.

- ii. For issuance of an appropriate writ, order or direction, especially in the nature of mandamus, directing Respondent No. 2 to recast and restructure the reservation roster for the Punjab State Civil Services Combined Competitive Examination-2025 by implementing the 4% reservation for Persons with Benchmark Disabilities strictly as a horizontal and interlocking reservation across all vertical categories, including creation of distinct sub-quotas for SC-PwBD, Balmiki-PwBD, BC-PwBD and General-PwBD within their respective vertical rosters, in consonance with Section 34 of the Rights of Persons with Disabilities Act, 2016, the Government of Punjab Instructions dated 03.10.2019 (Annexure P-5) and the DoPT Office Memorandum dated 17.05.2022 (Annexure P-6).

iii. For issuance of an appropriate writ, order or direction, especially in the nature of mandamus, directing the Respondents to provisionally treat and consider the Petitioner as an SC-PwBD candidate for purposes of evaluation in the Preliminary Examination and all subsequent stages of the selection process, with appropriate roster adjustment in accordance with the legally mandated horizontal reservation methodology.

iv. For issuance of an appropriate writ, order or direction, especially in the nature of mandamus, restraining the Respondents from finalising the Preliminary Examination results, preparing merit lists, or proceeding further with the recruitment process pursuant to Advertisement No. 20251 dated 02.01.2025, until the horizontal PwBD reservation is correctly implemented through compartmentalisation within each vertical category.

v. For issuance of an appropriate writ, order or direction, awarding exemplary costs in favour of the Petitioner and against the Respondents, in view of the repeated constitutional infirmities in the design and implementation of reservation policy.

2. Learned counsel for the petitioner submits that in pursuance to the advertisement dated 02.01.2025 (Annexure P-4), the petitioner applied

under SC Others-Punjab i.e. Category No.77. He further submits that the petitioner is also physically handicapped, as he is suffering from 45% permanent disability in relation to his left hand and the respondents ought to have advertised some posts in SC Others-Punjab and physically handicapped category, and since there was no post meant for the said category, therefore, his right to be considered under the SC-physically handicapped category has been frustrated as the respondents have failed to provide interlocking horizontal reservations within the SC category.

3. Learned State counsel has produced copy of the application form of the petitioner, which reflects that the petitioner had applied under the category "SC Others-Punjab (category No.77)". He has further submitted that at the time of submission of the application, the petitioner did not furnish any document to establish that he was physically handicapped, and the said certificate has been placed on record only along with the present petition. He further submits that the petitioner having participated in the selection process and having appeared in the preliminary examination, cannot be allowed to challenge the terms and conditions of the advertisement at a belated stage. The petitioner, being fully aware of the applicable criteria, had applied under SC Others-Punjab category and was duly considered accordingly. Having failed to secure sufficient merit to qualify for the main examination, he cannot now be permitted to turn around and assail the terms of the advertisement.

4. I have heard learned counsel for the parties and have gone through the record of the case.

5. A perusal of the application form of the petitioner also suggests that he has applied under SC Others-Punjab category and with regard to the physically handicapped details, it has been stated as under:-

“Physically Handicapped (Punjab)	No
Type Of Disability	N/A
Percentage of Disability	N/A
Scribe Required	N/A”

6. Keeping in view the above and the fact that the petitioner has already participated in the selection process and remained unsuccessful for the Mains Examination cannot be allowed to challenge the terms and conditions of the advertisement at this stage, consequently, this Court finds no merit in the present petition and the same is hereby dismissed.

(NAMIT KUMAR)
JUDGE

30.03.2026
sanjeev

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No