



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

121

CWP-9715-2026

Date of decision : 01.04.2026

Devinder Singh

.....Petitioner

V/S

State of Punjab and another

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. M.S. Sidhu, Advocate for the petitioner.

Mr. Kanav Singla, A.A.G., Punjab

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India, seeking issuance of a writ of certiorari for quashing the impugned order dated 12.07.2021 (Annexure P-14), passed by respondent No.2, whereby the claim of the petitioner for consideration under Sports Person General Category, has been rejected. Further, seeking issuance of a writ of mandamus, directing the respondents to consider the petitioner for the Punjab State Civil Services Combined Competitive Examination-2020 under category code 75 (Sports Person General Punjab) and to hold the main exam for Sports Person General Category again so as to give the petitioner a chance to appear in the main exam.
2. Learned counsel for the petitioner submits that the petitioner belongs to the General Category and is a national level sports person in the game of Shooting Ball and had represented his team at the

**CWP-9715-2026****2**

National level during the year 2001-2002, wherein his team secured the first position and the petitioner was awarded certificates acknowledging his achievements in sports (Annexure P-1). He further submits that respondent No.2-Punjab Public Service Commission had issued an advertisement No.8 dated 04.06.2020 (Annexure P-2) inviting applications for the Punjab State Civil Services Combined Competitive Examination-2020 for recruitment of 77 posts under the State Government. He further submits that in the original advertisement, no posts belonging to Sports person in the General Category was advertised, whereas 02 posts for Scheduled Caste, Sports Persons, Punjab (category code 80) and 01 post for Balmiki/Mazhbi Sikh, Sports Person, Punjab (category code 84) were advertised. Thereafter, respondent No.2-Commission had withdrawn the earlier advertisement and issued a fresh advertisement No.14 dated 11.12.2020 (Annexure P-8) inviting applications for 75 posts, out of which 02 were reserved for Male Sports Person, Punjab and 01 post was reserved for Female Sports Person, Punjab candidates. It was mentioned in the fresh advertisement that candidates who had applied for the post as per advertisement No.08 dated 04.06.2020 should not apply again and their applications already registered with the Commission stand valid for their candidature against this advertisement, subject to fulfilling the eligibility conditions as per the new advertisement. It was further mentioned that those candidates who had applied under the Sports Category in response to earlier advertisement No.08 dated 04.06.2020, who are now not eligible for Sports Category as per the amended 'Punjab Recruitment of Sportsmen

**CWP-9715-2026****3**

basic category and the condidates who now wish to withdraw their candidature due to changes in rules may do so by 30.12.2020. It is the case of the petitioner that he had applied under the General category in pursuance to the first advertisement and secured 132.5 marks. As per the result declared by respondent No.2-Commission, the cut-off marks for Sports Person General Category (Code 75) were 132.5 marks, which were exactly the marks obtained by the petitioner. Thereafter, the petitioner submitted a representation dated 16.03.2021 (Annexure P-10) requesting respondent No.2-Commission to correct his category from Code 71 (General) to Code 75 (Sports Person General) but no action was taken on the same. Therefore, the petitioner was deprived of his opportunity to appear in the Main Examination scheduled from 01.04.2021. He further submits that the petitioner had also served a legal notice dated 05.04.2021 (Annexure P-12) upon the respondents requesting them to consider his case appropriately but to no avail. Thereafter, the petitioner approached this Court by filing CWP-10029-2021 (Devinder Singh Vs. State of Punjab and another) which was disposed of by this Court, vide order dated 26.05.2021 (Annexure P-13), with a direction to respondent No.2 to decide the legal notice dated 05.04.2021 submitted by the petitioner by passing a speaking order within a period of four weeks. Pursuant to the said order passed by this Court, respondent No.2-Commission passed the impugned order dated 12.07.2021 (Annexure P-14).

3. The petitioner had earlier filed CWP-18996-2021 (Davinder Singh Vs. State of Punjab and another) seeking directions to

the respondent-Commission to consider the claim of the petitioner in the

**CWP-9715-2026****4**

Sports Person General Category, however, the same was disposed of as not pressed, vide order dated 18.09.2024 (Annexure P-15), with liberty to file fresh one on the same cause of action with all the facts to file a comprehensive fresh petition.

4. On receipt of advance copy of the petition, learned State counsel appears and submits that after the withdrawal of the earlier petition, vide order dated 18.09.2024, a fresh advertisement No.20251 dated 02.01.2025 has been issued by respondent No.2-Commission, inviting applications for filling up 322 posts of PCS (Executive Branch) and other allied services (including 04 posts of Sports Person General, Punjab Category Code 75). He further submits that in pursuance to the said advertisement, preliminary examination was held on 07.12.2025 and the main examination is scheduled to be held from 01.04.2026 to 10.04.2026. He further submits that in view of the said development and delay on the part of the petitioner, the relief claimed in the present petition has been rendered infructuous.

4(a) In nutshell, the grievance of the petitioner is that he has wrongly been denied to change his category from General Category (Category Code 71) to Sports Person General Category (Category Code 75).

5. I have heard learned counsel for the parties and have gone through the relevant documents.

6. A fresh advertisement No.20251 dated 02.01.2025 has been issued by respondent No.2-Commission, inviting applications for filling up 322 posts of PCS (Executive Branch) and other allied services

(including 04 posts of Sports Person General Category) and in



CWP-9715-2026

5

pursuance to the said advertisement, preliminary examination has already been held on 07.12.2025 and the main examination is scheduled to be held from 01.04.2026 to 10.04.2026. Further, the earlier petition filed by the petitioner bearing No.CWP-18996-2021 (Davinder Singh Vs. State of Punjab and another) seeking directions to the respondent-Commission to consider his claim in the Sports Person General Category, was disposed of as not pressed, vide order dated 18.09.2024, with liberty to file fresh one on the same cause of action with all the facts to file a comprehensive petition. However, the petitioner has filed the instant petition on 27.03.2026 i.e. after a period of about 01 year and 06 months. Therefore, keeping in view the above facts, no relief can be granted to the petitioner in the present petition at this belated stage. Further, it is a well settled proposition of law that the change of category is not permissible under law. Reference in this regard can be made from the judgment passed by Hon'ble Supreme Court in *J & K Public Service Commission Vs. Israr Ahmad and others : 2005(12) SCC 498*.

7. Dismissed.

01.04.2026

kothiyal

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No