



CWP-12991-2026

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

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CWP-12991-2026

Date of Decision: 29.04.2026

Aastha Kapoor

...Petitioner(s)

Versus

The State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Jagbir Malik, Advocate for the petitioner

Mr. Gurnoor Singh Sandhu, Advocate for respondent no.3/
Commission

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the announcement dated 24.04.2026 issued by the Commission only to the extent petitioner's candidature for the post of PGT English under BC-A category against advertisement 22/2024, dated 23.07.2024, has been rejected thereby. A prayer has also been made to quash the letter dated 25.04.2026, whereby the Commission has cancelled the petitioner's candidature for the post in question. Further, direction has been sought to the Commission to accept the candidature and consider her for recommendation against the post advertised. Still further, a writ of *mandamus* has been sought directing the Commission to permit the petitioner to appear for the interview, for which she was shortlisted.

2. The ground for rejection of the petitioner's candidature is failure on her part to submit a valid BC-A category certificate, as required in terms of clause 11 of the advertisement, which reads as under:

11. RESERVATION:

(i) xxx xxx xxx



(ii) For BC-A & BC-B category candidates:-

The candidates belonging to BC-A/BC-B categories are directed to obtain the fresh/latest BC-A or BC-B certificate, as the case may be, as per Haryana Government instructions No. 22/132/2013-1GS-III dated 22.03.2022, Government Notification No. 40/13/2024-1SW dated 16.07.2024 and as amended from time to time. This certificate should be issued in the year 2024-2025.

As per clause 6 note 2 (iii), the candidates were required to possess the certificates/documents in support of the claim before the closing date for submission of application forms, i.e., 14.08.2024. The certificate submitted by the petitioner along with the application form dated 27.06.2017, Annexure P-4, was not in compliance with the stipulated requirements and that is the reason she was issued a show cause notice dated 10.04.2026, Annexure P-22, regarding the proposed rejection for failure to submit the requisite BC-A category certificate. In response, the petitioner submitted her reply, Annexure P-24, and attached a BC-A category certificate dated 06.03.2025, Annexure P-25, therewith. It remains undisputed that the certificate has been issued in terms of Government instructions dated 16.07.2024, as required. However, the date of issuance of the certificate is after the closing date and that is the reason it has not been accepted, leading to cancellation of the candidature.

3. Mr. Malik, learned counsel for the petitioner contended that the ground of rejection is not sustainable since the certificate issued to the petitioner is for the relevant financial year 2024-25; it is in terms of the requisite Government notification as well. Its submission after the closing date cannot be a ground of rejection, since it was done in response to the notice dated 10.04.2026. In support of the contentions, he has relied upon a judgment rendered by the Supreme Court in *Dheerender Singh Paliwal v. UPSC*, 2017



(11) SCC 276. He also submits that the issue whether such candidates should be allowed to participate in the selection process, is already pending adjudication before this Court in CWP-31243-2024 titled *Neha Choudhry v. The State of Haryana and others*, along with connected matters, wherein the candidates have been provisionally permitted to participate in the selection process.

4. Mr. Sandhu, learned counsel for the Commission, however, submits, since the BC-A category certificate has been issued to the petitioner after the closing date, she cannot be permitted to participate in the selection process in the light of clear stipulation in the advertisement to that effect. The certificate already uploaded by her along with the application form did not meet the requirements, as it was not for the relevant financial year 2024-25. The issue has already been considered by the Division Bench in LPA-1397-2025 titled *Haryana Public Service Commission v. Pardeep Kumar and others*, wherein similar clauses of an advertisement issued by the Commission for the posts of Ayurvedic Medical Officer were examined, holding that the rejection of candidature on failure to submit the requisite reserved category certificates in terms therewith was justifiable, and the candidates could not be permitted to submit the certificates after the closing date. He also contends that this Court has already followed *Pardeep Kumar* case *ibid.* in CWP-3269-2026 titled *Suman Kumari v. Haryana Public Service Commission*, decided on 05.02.2026, and appeal filed against the judgment, LPA-480-2026, has also been dismissed by the Division Bench vide order dated 19.02.2026.

5. Considering the submissions, this Court is not inclined to entertain the petition on the ground that the issue stands decided against the petitioner by the Division Bench in *Pardeep Kumar* case (*supra*), holding as under:



30. It is pertinent to quote Clause 13 (xiii) of the notification dated 22.03.2022 issued by the Haryana Government, General Administration Department in respect of validity of a Caste Certificate for based on creamy layer criteria. The same reads as under:-

Clause 13 (xiii) Validity of a Caste Certificate.

- (i) XXXXXXXX
- (ii) XXXXX
- (iii) *Certificates which include income and/or assets based information like creamy layer criteria shall become invalid after the validity period prescribed on the said certificate. Such certificates shall be valid for the current financial year, i.e. till coming 31st March (included) from the date it has been issued.*
- (iv) XXXXX”

31. Records reveal that 805 posts of Ayurvedic Medical Officers came to be advertised on 21.06.2024 by the appellant-Commission vide advertisement No.16 of 2024. The advertisement specified the eligibility of candidate for appointment to the post. It also specified that the eligibility of the candidate with regard to educational qualification, experience etc. would be determined on the closing date fixed for online application form. This date, as per the advertisement, was 12.07.2024. Note-2 appended to Clause 6 of the advertisement, relating to “*Essential Qualifications*” specified that all applicants must fulfill the essential requirement for the post and other conditions stipulated in the advertisement on the closing date. Sub-clause (iii) of Note 2 made it explicit that the certificates/documents in support of educational qualifications, caste etc. should be possessed by the candidates on or before the closing date. The condition that the certificates issued after the closing date will not be accepted by the appellant-Commission, has been made known to the candidates explicitly. Sub-clause (iv) of Note 2 also provides that the improvement in marks done by a candidate after the closing date shall not be considered for any



purpose in the recruitment. This clarified that the closing date was the decisive deadline by which the candidate must possess all required eligibility criteria and supporting documents, including those related to educational qualifications, experience, domicile, caste, and degree. Taken collectively, the relevant clauses of the advertisement make it abundantly clear that the closing date held critical importance, and any material submitted thereafter was not to be considered.

32. to 53. xxx xxx xxx

54. The facts of the present LPAs are analyzed, and we find that the advertisement clearly required the candidates to submit BC(A)/BC(B) certificate. The advertisement was issued in June 2024 i.e. 21.06.2024. The candidates, who claimed reservation for BC(A) and BC(B), were required to belong to Non-Creamy Layer. The determination of Non-Creamy Layer is with reference to the income and assets of a candidate. Certificate of BC(A)/BC(B) are, therefore, based on changing financial status of the applicant and therefore, it becomes necessary for the appellant-Commission to require the candidate to submit the certificate issued before the cut-off date.

Accordingly, the BC-A category certificate, dated 06.03.2025, issued to the petitioner after the closing date, 14.08.2024, cannot be accepted in support of his candidature.

6. The petition cannot be entertained on grounds of parity either. The candidates who earlier approached this Court were permitted to provisionally participate in the selection process pending adjudication of their cases, including CWP-31243-2024, because the issue of rejection of their candidature despite submitting valid reserved category certificates, albeit after the closing date, was under consideration. It has now been finally decided by the Division Bench in *Pardeep Kumar* case *ibid*. Accordingly, the instant petition cannot be entertained merely on account of pendency of those cases. Further, the reliance

placed by learned counsel for the petitioner on *Dheerender Singh Paliwal* case (*supra*) is also misplaced. It was a case where the Court did not approve of the rejection of candidature on the ground of non-submission of a degree certificate establishing the requisite qualification, on account of the fact there was substantial compliance of the requirement of essential qualification possessed by the candidate. He was already in service of the concerned department and his essential qualifications were very much on record in the form of his resume. Such situation does not arise in the instant case.

7. Dismissed *in limine*.

(TRIBHUVAN DAHIYA)
JUDGE

29.04.2026
Payal

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