



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

Sr. No.211

CWP-19392-2018 (O&M)

Date of decision: 20.03.2026

Chander Bhan

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present: Mr. Vishwajeet Singh, Advocate and
Mr. K.P. Singh, Advocate, for the petitioner.

Mr. Ravi Partap Singh DAG, Haryana.

DEEPINDER SINGH NALWA, J.(Oral)

1 In the present writ petition, the petitioner is praying for issuance of a direction to respondent No.2 to re-consider the case of the petitioner for appointment to the post of Constable.

2. The brief facts of the case are that respondent No.2 issued an advertisement in the year 2015 advertising post of male ex-serviceman Constable (General Duty). The petitioner being ex-serviceman applied for appointment to the post of Constable in ex-serviceman category. The petitioner duly appeared in the written test and secured 15.75 marks. In physical screening test, the petitioner got 11 marks and 12 marks in PMT. For graduation, 01 mark was awarded and 04 marks were awarded to the petitioner in the interview. The total marks secured by the petitioner came to 43.75 marks. It transpires that the last selected candidate also secured



43.75 marks, however, taking into consideration the relevant Rule/instruction, in a case, where the candidates secure same marks, the marks of knowledge test has to be taken into consideration for the purpose of appointment. As the petitioner has secured less marks than the other candidate in knowledge test, the petitioner was not selected for the abovesaid post. As per the petitioner, in the month of December 2017, a revised answer key was uploaded and there was increase of 0.75 marks as such, the total marks secured by the petitioner became 44.50 marks. Accordingly, the petitioner submitted a representation for consideration of his case for appointment on the ground that after the answer key was revised, he has secured more marks than the last candidate selected as such, petitioner is entitled to be considered for appointment.

3. Written statement has been filed by the respondents. A perusal of the same would show that the petitioner has secured 43.75 marks and the candidate, who secured same marks, but having higher marks in knowledge test, was considered for appointment in terms of the relevant Rules i.e. Sub-Rule 10 of Rule 12.16 of the Amended Punjab Police Rules as applicable to the State of Haryana.

4. Learned counsel appearing on behalf of petitioner submits that petitioner has secured 44.50 marks taking into consideration the revised answer key as such, the petitioner is entitled to be considered for appointment.



5. On the other hand, learned counsel appearing on behalf of the respondents submits that the petitioner has not secured 44.50 marks but has secured 43.75 marks. Taking into consideration the marks in the written examination, the petitioner did not come within the zone of consideration and was not selected.

6. A perusal of the facts of the present case would show that although the petitioner has secured same marks as secured by the last candidate selected in category of the petitioner for the post of Constable, however, as per the relevant rules, in case two or more candidates have the same aggregate score, the order of merit shall be determined by the higher score achieved in the knowledge test. It is an admitted fact that the last candidate selected in the category of ex-serviceman on the post of Constable was although having same marks but secured more marks than the petitioner in knowledge test, as such, there is no illegality in not selecting the petitioner in ex-serviceman category for the post of Constable.

7. In view of the above, this Court finds no merit in the present writ petition and the same is hereby dismissed.

8. Pending miscellaneous application(s), if any, also stands disposed of.

(DEEPINDER SINGH NALWA)
JUDGE

20.03.2026

Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes / No

Yes/ No