



CWP-8279-2015 (O&M)

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

Sr. No.204

CWP-8279-2015 (O&M)

Date of decision: 28.01.2026

Major Singh

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present: Ms. Arzoo, Advocate for
Mr. Mohd. Yousaf, Advocate, for the petitioner.

Mr. Amarpreet Singh Bains, AAG, Punjab.

DEEPINDER SINGH NALWA, J.(Oral)

1 In the present writ petition, the petitioner has challenged the appointment of respondent No.5 on the ground that respondent No.5 was lower in merit than the petitioner in Scheduled Caste (R&O) category. It is further prayed in writ petition that respondents No.1 to 4 be directed to issue appointment letter to the petitioner on the post of Head Master in Scheduled Caste (R&O) category.

2. A perusal of the present writ petition would show that the grievance of the petitioner is that although the petitioner is higher in merit than respondent No.5, even then, the case of the petitioner was not considered for appointment on the post of Head Master in Scheduled Caste (R&O) category.



3. Written statement has been filed on behalf of the respondents No.1 to 4. A perusal of the written statement would show that as per respondents No.1 to 4, the petitioner never appeared for scrutiny of documents. As such, the case of the petitioner had not been considered for appointment on the post of Head Master under the Scheduled Caste (R&O) category.

4. Learned counsel appearing on behalf of the petitioner submits that the stand taken by the respondents No.1 to 4 in the written statement that the petitioner was not present on the date of scrutiny of documents is false. She submits that in fact, petitioner was present on 05.08.2014 for the purpose of scrutiny of the documents. Learned counsel further submits that in fact, on 16.05.2014, petitioner was called for counseling, the petitioner was present and was asked to produce receipt of fee deposited, however, as there was mis-happening in the family of the petitioner, therefore, the petitioner requested for some time to produce the receipt.

5. Learned counsel appearing on behalf of the respondents No.1 to 4 submits that the petitioner did not present himself before the competent authority for the purpose of scrutiny of documents. As such, the case of the petitioner was not considered for appointment on the post of Head Master in Scheduled Caste (R&O) category.

6. I have heard the learned counsels appearing on behalf of the parties at length.



7. The issue in regard to that whether the petitioner was present on the date, i.e. 05.08.2024, for scrutiny of the documents or not, is a disputed question of facts.

8. It is well settled law that the High Court should not entertain petitions where adjudication involves disputed question of facts and requires evidence to be produced to substantiate the facts. Such matters are to be decided by the competent Civil Court.

9. Taking into consideration the fact that a disputed question of facts is involved in the present writ petition, this Court is not inclined to entertain in the present petition. Accordingly, the present writ petition is hereby dismissed. However, liberty is granted to the petitioner to pursue other remedies, available to him, in accordance with law/rules.

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

(DEEPINDER SINGH NALWA)
JUDGE

28.01.2026

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No