



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

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**CWP-13869-2019 (O&M)
Date of Decision : 17.02.2026**

Manoj Kumar**....Petitioner****Versus****Central Administrative Tribunal, Chandigarh and others****....Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Rahul Gahlian, Advocate for
Mr. Shokeen Singh Verma, Advocate
for the petitioner.

Mr. S.K.Sharma, Senior Panel Counsel
for respondents No.2 to 4 – UOI.

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to the impugned order dated 28.03.2018 (Annexure P-16) passed by the Central Administrative Tribunal, Chandigarh Bench, Chandigarh (hereinafter referred to as 'the Tribunal'), by which, the rejection of the candidature of the petitioner for competing for Group-D post has been upheld.

2. The learned counsel for the petitioner submits that the only reason given for rejection of the candidature is that instead of affixing the signatures, the petitioner had written his name in capital letters, which objection is totally hypertechnical and should not be taken into consideration so as to oust the petitioner from the zone of consideration and, therefore, as the Tribunal failed to appreciate the said aspect, the order passed by the



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Tribunal as well as by the authorities concerned may kindly be set aside and the petitioner be treated as eligible to compete for the post in question and should be selected.

3. Learned counsel appearing on behalf of respondents No.2 to 4 – UOI submits that once in the terms and conditions of the advertisement it was mentioned that signatures cannot be appended by writing the name in capital letters, but still, the petitioner disobeyed the said instruction, the rejection of the candidature is as per the terms and conditions of the advertisement and therefore, the order dated 28.03.2018 passed by the Tribunal is perfectly valid and legal and the writ petition filed by the petitioner may kindly be dismissed.

4. We have heard the learned counsel for the parties and have gone through the record with their able assistance.

5. The question required to be examined herein is to the effect of violation of the condition provided in the advertisement according to which signatures cannot be affixed by writing the name in capital letters. Hence, the issue which arises for consideration is whether the candidature of the petitioner, who failed to comply with the mandatory conditions prescribed in the recruitment advertisement by writing his name in capital letters instead of affixing a proper signatures, is liable to be rejected or not.

6. It may be noticed that the terms and conditions of the advertisement are sacrosanct and have to be obeyed by the candidate to become eligible for the post in question. As per the law settled by the Hon'ble Supreme Court of India in **Civil Appeal No.4807 of 2022** titled as ***Union of India and others vs. Mahendra Singh***, decided on 25.07.2022, non-adherence of the terms and conditions rightly oust the candidate from the zone of



consideration. The relevant paragraph of the said judgment is as under:-

“14. X X X X X It is well settled that if a particular procedure in filling up the application form is prescribed, the application form should be filled up following that procedure alone. This was enunciated by Privy Council in the Nazir Ahmad v. King Emperor, wherein it was held that “that where a power is given to do a certain thing in a certain way the thing must be done in that way or not at all. Other methods of performance are necessarily forbidden.”

17. Similarly, this Court in Municipal Corporation of Greater Mumbai (MCGM) v. Abhilash Lal & Ors. 12 and OPTO Circuit India Limited v. Axis Bank & Ors. 13 has followed the said principle. Since the advertisement contemplated the manner of filling up of the application form and also the attempting of the answer sheets, it has to be done in the manner so prescribed. Therefore, the reasoning given by the Division Bench of the High Court that on account of lapse of time, the writ petitioner might have attempted the answer sheet in a different language is not justified as the use of different language itself disentitles the writ petitioner from any indulgence in exercise of the power of judicial review.”

7. In the present case, the learned counsel for the petitioner concedes that the conditions of the advertisement have been violated though, the same was technical. That being so, the reason for ousting the petitioner from the zone of consideration is within the jurisdiction keeping in view the act committed by the petitioner.

8. Further, it may be noticed that in order to avoid impersonation, the signatures are to be appended and not the name to be written in capital letters. The said condition has been validly imposed and that too for a purpose.

Once, the said condition has been violated by the petitioner concededly, the



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cancellation of his candidature cannot be treated as arbitrary and illegal.

9. Keeping in view the totality of facts and circumstances, the order dated 28.03.2018 (Annexure P-16) passed by the Tribunal cannot be treated as perverse either to the facts or the settled principle of law, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

10. Accordingly, the writ petition is dismissed.

11. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

February 17, 2026

Varinder

Whether speaking/reasoned : Yes

Whether reportable : No