

CWP-34137 of 2025 (O&M)

2026 PHHC 043874



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

CWP-34137 of 2025 (O&M)
Date of decision: 19.03.2026

Prabhjot Sharma

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. A.S. Natt, Advocate,
for the petitioner.

Mr. N.P.S. Hira, DAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the advertisement No.20251 (Annexure P-1), being violative of the extant rules (Annexure P-2), applicable for issuance of advertisement and recruitment or in the alternative for issuance of writ of mandamus directing the respondents to allow the petitioner to change her category from General (71) to Economically Weaker Section – Punjab (92) in the recruitment process, initiated vide advertisement No.20251 dated 03.01.2025 (Annexure P-1), in view of the subsequent changes by way of public notices (Annexures P-5 and P-7). Further prayer has been made for staying the further process under the said advertisement (Annexure P-1), during the pendency of the writ petition.

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2. The brief facts of the case, as have been pleaded in the petition, are that the respondents advertised 322 posts to be filled up on the basis of Punjab State Civil Services Combined Competitive Examination, 2025, vide advertisement No.20251 dated 03.01.2025 (Annexure P-1). The petitioner applied in the General Category on 21.01.2025 (Annexure P-3). Initially the examination was announced to be held on 26.10.2025, however, the same was postponed to 07.12.2025. Respondent No.2 vide an addendum dated 03.09.2025 (Annexure P-5) introduced a new category 'Balmiki/Mazhbi Sikh Sports Person, Punjab (84)' and by adding nine more vacancies, increased posts from 322 to 331. As per addendum dated 03.09.2025, only fresh applicants belonging to the new category i.e. Balmiki/Mazhbi Sikh Sports Person, Punjab were allowed to apply, edit their application forms and submit fee. Other category candidates could not apply afresh as vacancies in their respective categories were already advertised earlier and they were given a fair chance to apply for these vacancies. Further, for the candidates who had already registered for the said exam i.e. who had completed the first and second step of online registration before closing date i.e. 31.01.2025 but due to some reasons were not able to pay the fee, a link/window was opened for them to pay their pending fee from 03.09.2025 to 14.09.2025 till 11:59 p.m. Such candidates were not allowed to edit their application forms or upload their photo and signatures and were allowed to pay their fee only. Through the instant

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writ petition, petitioner has sought to change her category from General (71) to Economically Weaker Section – Punjab (92).

3. Learned counsel for the petitioner has contended that by way of addendum dated 03.09.2025, respondents introduced new categories and vacancies and also extended the cut-off date. Allowing only fresh applicants in newly introduced categories to apply and denying existing applicants any opportunity to edit their category or application form is arbitrary and discriminatory. He further contended that pursuant to the aforesaid advertisement, petitioner applied under the General category, however, she became eligible for the EWS category in the year 2025 and got EWS certificate issued on 04.09.2025 (Annexure P-6). He further contended that the candidates who applied in the Sportsperson, Punjab category and Persons with Disabilities category but if not found eligible under the definition of respective category, they were allowed to shift to their basic category. Therefore, petitioner be allowed to change her category from General to Economically Weaker Section.

4. *Per contra*, learned State counsel submitted that the applications have been invited strictly as per the terms of the advertisement dated 03.01.2025 (Annexure P-1). He further contended that no candidate can be allowed to change his/her category as the terms and conditions of the advertisement are sacrosanct and the same have to be complied with under all circumstances, therefore, present writ petition is liable to be dismissed.

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5. I have heard learned counsel for the parties and perused the record.

6. As per the settled principle of law, the terms and conditions of the employment notice are sacrosanct and are to be strictly complied with by all competing candidates and no change can be allowed in the applied category, once the said category has been duly filled by the candidate himself/herself. In the present case, the petitioner had applied under the General category on 21.01.2025 i.e. before addendum dated 03.09.2025. As per the 'General Information for the Candidates' mentioned in the advertisement, it is clearly specified under Note 5 of point No.2.1 and point No.6.2 that category once selected by the candidate will not be changed under any circumstances. Further, Note (1c) of point No.11 of the advertisement provides as under: -

“CATEGORY ONCE FILLED BY THE CANDIDATE SHALL BE SACROSANCT AND NO CHANGE SHALL BE PERMITTED AT ANY STAGE OF THE EXAMINATION.”

7. As per the judgment of the Hon'ble Supreme Court in ***J & K Public Service Commission Vs. Israr Ahmad and others : 2005(12) SCC 498***, no change in the category once applied for, can be done at a later stage. The relevant paragraph 6 of the said judgment is as under:-

“6. We have considered the rival contentions advanced by both the parties. The contention of the first respondent cannot be accepted as he has not applied for the selection as a candidate entitled to get reservation. He did not produce any certificate along with his application. The fact that he has not availed the benefit for the preliminary examination itself is sufficient to treat him as a candidate



not entitled to get reservation. He passed the preliminary examination as a general candidate and at the subsequent stage of the main examination he cannot avail the reservation on the ground that he was successful in getting the required certificate only at a later stage. The nature and status of the candidate who was applying for the selection could only be treated alike and once a candidate has chosen to opt for the category to which he is entitled, he cannot later change the status and make fresh claim. The Division Bench was not correct in holding that as a candidate he had also had the qualification and the production of the certificate at later stage would make him entitled to seek reservation. Therefore, we set aside the judgment of the Division Bench and allow the appeal.”

8. While dealing with the similar issue in **CWP-1721 of 2023 – Raj Kumar v. State of Punjab and others, decided on 23.02.2023**, this Court has held as follows: -

“7. In view of the specific stipulation under clause (5) of the recruitment notice, at this stage, particularly when the selection process has already been completed for the general category, this Court does not find it appropriate to exercise its writ jurisdiction under Article 226 of the Constitution of India. In such matters, the Court can issue a writ only if the petitioner makes out a good case. Though, it may be harsh for the petitioner, however, any interference, at this stage, may result in opening a Pandora box which would not be in the interest of justice.

8. With the observations made above, the present writ petition is disposed of.”

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9. Similarly, in ***CWP No.2907 of 2022 titled as ‘Bhupinder Singh Vs. State of Punjab and others’ decided on 22.01.2025***, this Court has held as under:-

“2. Learned State counsel has referred to the judgment passed by this Court in “Arashdeep Singh vs. State of Punjab and another”, CWP-17825-2020, decided on 18.10.2024, involving the same issue, as per which the present petition is liable to be dismissed, relevant paras whereof read thus:-

“It is a conceded fact that as per the application form submitted by the petitioner, he had applied in the General Category and though he wanted to change the category but as per the conditions of the Advertisement, which are sacrosanct, no change can be allowed.

Further, the petitioner appeared in the examination despite the fact that the Roll Number was issued in the General Category and petitioner participated in the selection process under a Roll Number issued in General Category and it is thereafter, the petitioner had filed the present petition for change of his category from “General” to “Backward Class”. In case, the petitioner had come to know that he had filled incorrect category, he should have approached this Court before the last date to fill the application form to claim the said benefit, which claim was never raised by the petitioner.

As per the judgment of the Hon’ble Supreme Court of India in “J&K Public Service Commission Vs. Israr Ahmad and Ors.”, decided on



*07.01.2005, category once applied for can be allowed to be changed after participating in the selection process. In the present case, the claim raised by the petitioner is contrary to the settled principle laid down by the Hon'ble Supreme Court of India in "**J & K Public Service Commission Vs. Israr Ahmad and others**" as well as by the Co-ordinate Bench in **Gurpreet Singh's case (supra)**.*

No ground is made out by this Court to interference in the present petition.

Hence, the present petition is dismissed."

10. It is a settled proposition of law that a candidate has to comply with all the conditions/eligibility criteria as per the advertisement. In the present case, the petitioner applied under the general category and admittedly did not possess the EWS certificate, required as per the advertisement, at the time of submission of her application. Consequently, she cannot claim consideration under the EWS category. Permitting the petitioner to alter her category would not only violate the terms of the advertisement but also unsettle the level playing field amongst candidates. The petitioner, having submitted the application form with a specific category, is bound by the declaration made therein. No candidate has been allowed to change the category. Candidates belonging to Persons with Disability and Sports person Punjab categories, who are unable to prove their eligibility in these categories will be considered under their basic category. Such

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candidates are merely being considered in their basic category and their category has not been changed.

11. In view of the foregoing reasons as well as settled proposition of law laid down by the Hon'ble Supreme Court and this Court, no ground is made out for interference by this Court in the facts and circumstances of the present case.

12. Accordingly, the writ petition is dismissed.

13. Pending application(s), if any, also stand(s) disposed of.

19.03.2026
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No