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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-170-2026(O&M)
Date of Decision: 11.05.2026

GURPREET SINGH

....Appellant(s)

Versus

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI
HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. M.S. Jangu, Advocate, for the appellant.

Ms. Shruti, Assistant Advocate General, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present intra-Court Appeal has been filed assailing the judgment passed by the learned Single Judge dated 11.11.2025 in CWP No.36778 of 2019, titled "*Gurpreet Singh versus State of Punjab and others*".

2. Learned counsel appearing on behalf of the appellant submitted that the appellant applied for the post of Peon in pursuance of advertisement dated 07.01.2016 with corrigendum dated 03.06.2016 against the reserved category of Physically Handicapped Persons. He submitted that the appellant is a mentally handicapped person having mental retardation to the extent of 69%, as per the Disability Certificate Annexure P-1 dated 07.05.2014. He submitted that in the advertisement, no post had been reserved for mentally retarded persons, although he had applied against the



Physically Handicapped Category and he ought to have been considered against the aforesaid post. He submitted that the learned Single Judge has dismissed the writ petition on the ground that neither the advertisement nor the corrigendum was challenged and all the posts have been filled up. He further submitted that at the time when the advertisement was issued in the year 2016, one post ought to have been reserved for mentally retarded persons like that of the appellant.

3. On the other hand, Ms. Shruti, Assistant Advocate General, Punjab submitted that the impugned judgment passed by the learned Single Judge is a well-reasoned judgment because the appellant in fact had applied under Physically Handicapped Category but actually he is a mentally retarded person to the extent of 69% as per Annexure P-1 and it was observed by the learned Single Judge that the appellant has neither challenged the advertisement nor the corrigendum and all the posts have been filled up by now. She further submitted that apart from the above, the learned Single Judge has dismissed the petition also on the ground that the appellant has not impleaded the selected candidates and the selection has already concluded in the year 2016 and therefore, no relief can be granted to the appellant. She submitted that after 10 years once the entire selection process has concluded and in the absence of any challenge to the advertisement, no such relief can be granted to the appellant.

4. We have heard the learned counsel for the parties.

5. Admittedly, the appellant had applied for the post of Peon in the year 2016 under the Physically Handicapped Category. On the basis of an earlier writ petition filed by the appellant, wherein a direction was issued to the respondent-department to decide the representation of the appellant, an



order was passed by the Director, Public Instructions (SE), Punjab on 03.07.2017 vide Annexure P-12. By way of the aforesaid order, it was observed by the Director, Public Instructions, Punjab that the advertisement issued on 07.01.2016 was to fill up the backlog of handicapped persons in different departments in the office of Director, Public Instruction (Secondary Education), Punjab and that for the post of Peon (Headquarter) one post was advertised and for Peon (Field), 100 posts were advertised. After the issuance of the advertisement, the department verified the vacancies advertised and it was found that the number of vacancies do not match with the existing vacancies in the department and thereafter, a corrigendum dated 03.06.2016 was issued, wherein it was clarified that in the category of Clerk (Headquarter), there are only two vacant posts of backlog (Visual Handicapped-01) and (Hearing Handicapped-01). So far as the post of Peon is concerned, it was clarified that for the post of Peon (Headquarter), there is only one post vacant in Orthopaedic Handicapped Category and this post was filled up by selection of one Gurpreet Singh son of Sh. Major Singh, who was selected as per his own merit and the appointment order has been issued to him and he has already joined the service and that there was no vacant post of Peon in the Orthopaedic Category.

6. A perusal of the aforesaid order would show that the appellant had applied against the Handicapped Category and there was only one post for the Orthopaedic Handicapped Category, which already stood filled up in the year 2016 in pursuance of the advertisement of the year 2016 and the aforesaid person was already selected on his own merit and has already joined service.



7. The prayer of the appellant that he should have been considered against the Mentally Handicapped Category, which although was not even provided in the advertisement nor any post was reserved against the aforesaid category, the same could not have been considered as such. We are also of the considered view that there is no error or perversity in the judgment passed by the learned Single Judge, wherein the writ petition was dismissed on the ground that neither the advertisement itself nor the corrigendum was under challenge and the grievance of the appellant was that no reservation has been made for the aforesaid category of mentally retarded persons. The selection which was carried out in pursuance of the advertisement of 2016 **which** is almost 10 years ago and all the posts have been filled up. It was also rightly observed by the learned Single Judge that the appellant did not even implead the selected candidates and as per the aforesaid order dated 03.07.2017, there was only one post in the Orthopaedic Handicapped Category, which has been filled up on merit. Therefore, the grievance of the appellant was not only unsustainable but was also misconceived. Therefore, we are of the considered view that there is no ground available with the appellant to have filed the present intra-Court Appeal.

8. Consequently, the present intra-Court Appeal is dismissed.

(JASGURPREET SINGH PURI)
JUDGE

(AMARJOT BHATTI)
JUDGE

11.05.2026

rakesh Whether speaking
Whether reportable

: Yes/No
: Yes/No