



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

**114**

**CWP-13909-2026 (O&M)  
Date of decision: 06.05.2026**

Parwinder Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

**Present:** Mr. Mandeep Singh, Advocate  
for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

Mr. Vishal Gupta, Advocate  
for respondents No.2 to 4.

**HARPREET SINGH BRAR J. (Oral)**

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing the impugned speaking order dated 15.04.2026 (Annexure P-9) passed by respondent No.3 whereby the claim of the petitioner has been rejected. Further a writ of *mandamus* has been sought, directing the respondents to treat and consider the petitioner under the SC (M&B) category as per the Scheduled Caste Certificate dated 27.01.2021 (Annexure P-4) instead of SC (R&O). Further prayer has been made to direct the respondents to keep one post of Telephone Mechanic under SC (M&B) category vacant, during the pendency of the writ petition.



2. Learned counsel for the petitioner has, *inter alia*, contended that pursuant to Advertisement CRA No.12/2025 dated 17.11.2025 issued by respondent No.2 (Annexure P-1), the petitioner applied on 13.12.2025 for the post of Telephone Mechanic, but due to a *bona fide* and inadvertent error while filling the online form, the sub-category SC (R&O) was wrongly selected instead of his actual category SC (M&B). The petitioner fulfilled all the eligibility conditions and was allotted Application Sequence No.PSTCL25037101 and Roll No.2613270126610, and even the e-admit card reflected only the main category SC without any sub-classification as is evident from Annexures P-2 and P-3, respectively). Learned counsel for the petitioner has further submitted that the petitioner by birth belongs to Scheduled Caste (Mazhabi & Balmiki) i.e. SC (M&B) category and possessed a valid certificate dated 27.01.2021 (Annexure P-4) issued by the competent authority prior to the cut-off date. He has further argued that in the declared result, the petitioner secured 44.250 marks out of 100 and was placed at Serial No.69 but was wrongly reflected under SC (R&O). He has further contended that if the petitioner has been considered in the correct SC (M&B) category, as per the category-wise cut-off list dated 06.03.2026 (Annexure P-6), he would have fall well within the zone of consideration at second position. Feeling aggrieved, the petitioner submitted representation dated 02.03.2026 and e-mail dated 03.03.2026 seeking correction as discernible from Annexures P-7 and P-8, respectively and thereafter, also approached this Court by filing



a writ petition i.e. CWP No.6851 of 2026 (Annexure P-10), which was disposed of on 09.03.2026 with a direction to respondent No.3 therein to decide the representation of the petitioner dated 02.03.2026 submitted by the petitioner. In purported compliance, the respondent No.3 rejected the claim of the petitioner by passing the impugned speaking order dated 15.04.2026 (Annexure P-9).

2.1. Learned counsel for the petitioner further submitted that the error was purely clerical and inadvertent without any intent to mislead or gain undue advantage. The caste of the petitioner can be duly verified from the Certificate dated 27.01.2021 (Annexure P-4), Neither any prejudice would be caused to the respondents nor the selection process would be disturbed. He has further contended that the impugned speaking order dated 15.04.2026 (Annexure P-9) has been passed by mechanically relying upon the clause in the advertisement prohibiting change of category, without appreciating the petitioner's pre-existing valid SC (M&B) certificate and without examining the *bona fide* nature of the mistake.

2.2. Learned counsel for the petitioner, in support of his arguments, has placed reliance upon the Division Bench judgment of this Court passed in **CWP No.23185 of 2014**, titled as ***Usha Dhillon vs. State of Haryana and others***, decided on **15.12.2014**, wherein it was held that when a candidate makes a request for correction of category prior to the last date of submission of application form and such mistake is *bona fide* in nature, the same ought not to be rejected on



hyper-technical grounds and the authorities are required to consider the candidature in the correct category, particularly when no prejudice is caused to any other candidate, thereby emphasizing that procedural technicalities cannot be permitted to defeat substantive rights.

2.3. Learned counsel for the petitioner has further relied upon the judgment rendered by this Court in **CWP No.24909 of 2017**, titled as ***Asha Devi vs. Haryana Staff Selection Commission***, decided on **17.03.2023**, wherein it has been held that an inadvertent error while mentioning the category in an online application form, despite the candidate possessing a valid certificate of the correct category prior to the cut-off date, cannot be a ground to deny rightful consideration, and such *bona fide* mistake deserves to be rectified, particularly when the candidate had promptly approached the authorities; no prejudice is caused to others and procedural technicalities cannot be permitted to defeat substantive rights.

3. Mr. Vishal Gupta, Advocate has put in appearance on behalf of respondents No.2 to 4 and file Memo of Appearance, which is taken on record. The Registry is directed to tag the same at appropriate place.

4. Learned State counsel as well as learned counsel for respondents No.2 to 4, while relying upon the detailed impugned speaking order dated 15.04.2026 (Annexure P-9), have argued that the petitioner had consciously filled up the online application form, selected



a particular category, uploaded documents accordingly and paid the examination fee applicable to the chosen category.

4.1. Learned counsel for respondents No.2 to 4 has invited the attention of this Court to the important dates mentioned in the advertisement (CRA No.12/2025) (Annexure P-1), which clearly reflected the last date of online registration, submission of online application and submission of online application fee as 16.12.2025 (Upto 23:55 Hrs). He has further referred to Points (d) and (e) of Important Notes, available at Page No.20 of the paperbook (Annexure P-1), which specifically provided that the category once filled in the application form shall be final and any request for change of category after submission of the application form shall not be entertained under any circumstances. Learned counsel for respondent No.2 to 4 has also drew the attention of this Court to Clause 5.0 (Reservation of Posts (For Candidates of Punjab Domicile Only) available at Page No.22 of the paperbook (Annexure P-1), which categorically lays down the rules regarding reservation and makes it clear that benefit of a particular reserved category can be claimed only by those candidates who duly apply and opt for the same in the prescribed manner within the stipulated time.

4.2. Learned counsel for respondents No.2 to 4 has further contended that the petitioner participated in the entire selection process, from written examination to document scrutiny, without raising any grievance at the appropriate stage. He has further argued that there is no



provision either in the advertisement or in the instructions for any change or correction of category after the last date of submission of online applications. The claim of the petitioner was raised at a highly belated stage, after the selection process had substantially advanced. He has strenuously contended that allowing such a change at this stage would open floodgates, disturb the entire merit list and cause prejudice to other candidates also who applied under the correct category. He has further argued that the petitioner himself has pleaded that it is his own lapse in not selecting the correct particulars in the application form and as such, he cannot be allowed to disturb the entire selection process, at this stage.

4.2. Learned counsel for respondents No.2 to 4 has strongly placed reliance upon the judgment passed by the Hon'ble Supreme Court in ***Rajasthan High Court, Jodhpur and another vs. Neetu Harsh and another, 2019 SCC Online SC 1119***, wherein it has been categorically held that once a candidate opts for a particular category, pays the prescribed fee and participates in the selection process, he cannot be permitted to change his category subsequently. He has further relied upon the judgment in ***Vinay Sharma vs State of Haryana and others, 2020(4) SCT 623***, whereby this Court while relying upon the judgment rendered by the Hon'ble Supreme Court in ***J&K Public Service Commission vs Israr Ahmed and others, 2005 (12) SCC 498***, has held that once a candidate has consciously opted for a particular



category at the time of filling application, the same cannot be permitted to be changed at a later stage.

4.3. Learned counsel for respondents No.2 to 4 has further relied upon the judgment of this Court in **CWP-15119-2016**, titled as ***Shashi vs State of Haryana and others***, decided on **22.05.2018**, whereby it has been held that a candidate cannot change their category after commencement of the selection process, even if they obtain the relevant certificate prior to the extended last date for submission of the application form. He has further relied upon the judgment of this Court in ***Bunty vs State of Haryana and others, 2023 NCPHHC 154697***, wherein it has been held that in a recruitment process, a candidate is entitled to consideration only in the category for which he has applied, and even if he has inadvertently applied under a wrong category or secured higher marks than selected candidates in another category, he cannot, after completion of the selection process, raise any grievance seeking change of category at a belated stage.

5. I have heard learned counsel for the parties and perused the record with their able assistance.

6. The primary issue for adjudication before this Court is whether a candidate can seek rectification of a sub-category after the declaration of results, despite explicit prohibitory clauses in the recruitment advertisement.

7. For a comprehensive analysis, it is necessary to reproduce the relevant portions of the record. The important dates, governing the



recruitment process of the petitioner, as is evident from Annexure P-1, are as follows:

Opening date for online registration of applications:	<b>17.11.2025 (From 14:00 Hrs)</b>
Last date of Online Registration, Submission of Online Application and Submission of Online Application Fee:	<b>16.12.2025 (Upto 23:55 Hrs)</b>

8. Furthermore, the specific terms regarding the finality of the application form, as per Points (d) and (e) at Page No. 20 of Annexure P-1, are reproduced below:

***(d) Candidates are advised to read the bifurcation of the categories very carefully before filling up the online application. Category/sub-category once filled cannot be changed to any other category including General, EWS etc.***

***(e) All details once filled cannot be edited/amended after fee submission & no communication/reply to queries will be entertained in this regard by PSTCL. It is advised to the candidates to recheck all filled details before final submission of online application form.***

9. Moreover, Clause 5.0 related to Reservation of Posts (For Candidates of Punjab Domicile Only) further restricts such changes.

The operative part of the same, reads as follows:

***5.0 RESERVATION OF POSTS (FOR CANDIDATES OF PUNJAB DOMICILE ONLY)***

- The reservation of posts for reserved categories is applicable for candidates of Punjab Domicile only. All candidates must possess requisite*



*reservation certificate before the last date of submission of application form online. Further Candidates are required to produce original certificate on prescribed format in this regard at the time of document checking.*

*• **Category once filled in the online application form submitted, will not be allowed to be changed and no benefit of other category/General category will be admissible later on.** The backlog, where applicable, shall be filled as per instructions of Govt. of Punjab. It is also intimated here that candidates belonging to Vimukt Jati and Bazigars, can also apply against SC/OT category. However, reservation to Vimukt Jati and Bazigars will be applicable as per Dept. of Social Justice Empowerment and Minorities (Reservation Cell), Govt. of Punjab notification no. 01/24/2020/RC1/321 dated 15.09.2022 reservation to Vimukt Jati and Bajigars will be applicable as per instructions issued vide 1/3/98-RC1/948 dated 20.12.2001.*

10. Upon perusal of the aforementioned clauses, it is evident that the recruitment process in question was governed by clear, categorical and unambiguous stipulations, leaving no scope for alteration of category/sub-category after submission of the online application form. The stipulation of finality was not merely advisory in nature but formed an essential condition of eligibility and participation in the selection process.

11. The Hon'ble Supreme Court in *Neetu Harsh's case (supra)* has categorically held that where a candidate consciously



participates in a selection process by opting a particular category and availing the benefit thereof, such candidate cannot be permitted to subsequently resile from the declared position after the process has progressed or culminated. The Hon'ble Supreme Court has further reiterated the principle laid down in *Israr Ahmad's case (supra)* that a candidate is bound by the option exercised at the initial stage and cannot, at a later stage, seek to alter the same to claim a more beneficial category.

12. Applying the aforesaid settled legal position to the facts of the present case, it is evident that the petitioner had consciously filled the online application form, selected the SC (R&O) sub-category, paid the requisite fee, participated in the written examination and further subjected himself to the entire selection process without raising any objection at the relevant stage. The plea that the mistake was "inadvertent" or "clerical" cannot, in the facts and circumstances of the present case, be accepted so as to override the express terms of the advertisement, particularly when the process has substantially progressed and results have been declared.

13. The argument of the petitioner that he holds a valid SC (M&B) certificate issued prior to the cut-off date and no prejudice would be caused to the respondents, cannot be accepted as a valid ground to dilute the binding nature of the recruitment conditions. The relevant consideration is not merely the existence of a caste certificate



but the conscious exercise of option at the time of application, which governs the entire selection process.

14. The judgments relied upon by learned counsel for the petitioner i.e. *Usha Dhillon's case (supra)* and *Asha Devi's case (supra)*, are clearly distinguishable on facts. In those cases, the correction was sought at an initial or pre-decisional stage, and not after the selection process had been substantially concluded or after declaration of result. In the present case, the petitioner seeks alteration of sub-category after declaration of result, which would have the effect of unsettling the entire selection process and affecting the rights of other candidates.

15. On the contrary, the judgments relied upon by the respondents, particularly *Neetu Harsh's case (supra)*, *Vinay Sharma's case (supra)* and *Shashi's case (supra)*, clearly govern the field and leave no manner of doubt that once the selection process commences on the basis of a declared category, the same attains finality and cannot be permitted to be altered at a belated stage.

16. It is also a settled principle of law that sympathy or equity cannot override the prescribed recruitment conditions. If such claims are entertained despite clear prohibitory clauses, it would open floodgates of litigation, resulting in uncertainty in public employment processes and would also seriously prejudice the sanctity of the selection process.

17. In view of the above discussions, this Court finds no illegality or infirmity in the impugned speaking order dated 15.04.2026



(Annexure P-9) passed by respondent No.3. Consequently, finding no merit in the present writ petition, the same is hereby dismissed.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**06.05.2026**

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No