



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

137

LPA-2594-2026 (O&M)

Date of Decision: 14.09.2026

MUNISHA

...Appellant

Versus

STATE OF HARYANA AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**HON'BLE MR. JUSTICE MINDERJEET YADAV**

Present: Mr. Sunil Kumar Nehra, Senior Advocate, assisted by
Mr. Rahil Mahajan, Advocate for the appellant.

Mr. Nitin Kaushal, Addl, A.G., Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. The present appeal has been filed challenging the order passed by the learned Single Judge on 17.08.2026, whereby the writ petition filed by the appellant claiming eligibility to compete for the post of Primary Teacher (PRT), Mewat cadre, in pursuance of Advertisement No. 5 of 2024, has been dismissed.
2. Certain facts need to be noticed for the correct appreciation of the issue in hand. An Advertisement No. 5 of 2024, dated 09.08.2024, for 1456 posts of Primary Teacher (PRT) in Mewat Cadre were advertised. The advertisement also included certain posts which were reserved for the BCA category. As per the advertisement, the last date to fill up and submit the application form was 21.08.2024.
3. It may be noticed that, as per the advertisement, a candidate who was applying in BCA category, was required to submit a valid certificate showing that such candidate was eligible to compete in the said



category and it was mentioned in the advertisement that the said certificate should be in terms of the instructions dated 22.03.2022. Further, the advertisement stated that in case the requisite documents were not attached, the candidature of such candidate would be cancelled outright.

4. The appellant applied for the post in question and attached a BCA certificate issued to her in January, 2024.

5. Keeping in view the fact that the scrutiny of the documents was only to be done at later stage, the appellant was allowed to compete in the selection process.

6. At the time of scrutiny, it came to the notice that the certificate issued to the appellant in January, 2024 was not in conformity with the instructions dated 22.03.2022, as, such certificate had already lost its validity on 31.03.2024 as the last date for submission of the application form was 21.08.2024. Keeping in view the fact that no valid certificate of BCA category was found to be attached along with the application form, the appellant was not permitted to compete further in the selection process in the BCA category.

7. The said action of not treating the appellant as eligible was challenged by her by filing CWP-23487-2026, which writ petition was dismissed by the learned Single Judge vide order dated 17.08.2026, holding that on the last date of submission of the application form, there was no valid certificate with the appellant showing her eligibility to compete against the reserved post for BCA and therefore, the action of the respondents in not allowing the appellant to compete further or to give her appointment in BCA category in terms of her merit, needs no interference. The said judgment is



under challenge in the present appeal.

8. The learned senior counsel for the appellant submits that though, the last date for filling up the application form was 21.08.2024 but the scrutiny only took place in the Year 2025 by which date, the relevant eligible certificate showing her eligibility to compete the course has already been obtained hence, such certificate should have been taken into account by the respondent to treat her eligible as, only the factum of her eligibility needed to be demonstrated, which was subsequently demonstrated by the appellant during the scrutiny process.

9. Learned senior counsel for the appellant further submits that once the eligibility to compete in BCA category was proved even subsequent to the filing of the application form, coupled with the fact that there are candidates who are less meritorious and have already been appointed, the benefit of appointment should have been given to the appellant by the learned Single Judge, especially when even as of now there are three posts in BCA Category, which are lying vacant.

10. Learned State counsel, on the other hand, submits that the selection is to be made on the basis of terms and conditions of the advertisement, which are sacrosanct as per the settled principle of law, and as per the terms and conditions of the advertisement, there was no valid BCA certificate, which was attached with the application form and hence, as per Clause 11 of the advertisement, the candidature of the appellant automatically stands cancelled. Hence, the order passed by the learned Single Judge, is perfectly valid.

11. Learned State counsel further submits that even the subsequent



BCA certificate which was obtained by the appellant is after the last date for submission of the application, hence such cannot come to rescue her to make her eligible, as such certificate was not a part of the application submitted by the appellant. The consideration of subsequent certificate is contrary to the terms and conditions of the advertisement. Further, such certificate only establishes eligibility of a subsequent period and not for the period required when the advertisement was issued. Therefore, such certificate cannot be taken into consideration for treating the appellant eligible and the learned Single Judge has rightly appreciated this aspect.

12. We have heard the learned senior counsel for the appellant and learned State counsel and have gone through the record with their able assistance.

13. As per the settled principle of law settled by the Hon'ble Supreme Court of India, the terms and conditions of an advertisement are sacrosanct and have to be strictly abided by all the candidates, who intends to compete pursuant to such advertisement. The relevant portion of the judgment in ***Mohit Kumar vs. State of Uttar Pradesh and others***, 2025 SCC Online SC 1125, reads as under:

“14. What follows from the above decision is that irrespective of whether an aspirant for public employment belongs to a particular community like SC/ST/OBC, the status claimed by him for being accorded the benefit of reservation is per se not decisive. Such status has to be certified by the competent authority upon following due process and identification that the aspirant is what he claims to be. In Shrinivas Prasad Shah (supra), the requirement of production of a certificate from the competent



authority was held to be mandatory in view of a statutory mandate. Although there is no such statutory mandate in the facts of the present case, the requirement in question is no less mandatory and must be scrupulously followed. Once a process of recruitment is set in motion, all aspirants are entitled in law to equal treatment. There cannot be different yardsticks for different sets of aspirants. Non-compliance with the terms of the advertisement/notification is bound to trigger adverse consequences of rejection of the aspirant's claimed status by the selecting body/appointing authority, should he choose not to adhere to the same. Having regard thereto, the selecting body/appointing authority would be justified in not entertaining the application of an aspirant as a member of the community for whom reservations are permissible."

14. In terms of the aforesaid settled principle of law, the question which needs to be decided is whether, on the last date for submission of the application form i.e. 21.08.2024, the appellant had annexed all the requisite documents to compete in the BCA category.

15. It is a conceded fact that, for competing in the BCA category, a certificate issued by the competent authority was needed to be attached with the application form. The appellant had, in fact, attached a BCA certificate issued in January, 2024. However, the validity of the said certificate had already expired much before the last date of submission of application from 21.08.2024, which was the last date for submission of the application form.

16. It may be noticed that as per the instructions, dated 22.03.2022, which are the basis for assessing the validity of the caste certificate etc., the



relevant Clause which deals with the validity of such certificate issued is as under:

“(xiii) Validity of a Caste Certificate.-

(i) A Caste Certificate once issued (in its standard format) shall be valid for the life-time of the person so long as such caste/tribe is not removed or modified in the notifications issued by the Welfare of Scheduled Castes and Backward Classes Department, Haryana.

(ii) Where a Caste Certificate is requested for specific use outside the context of Government of Haryana, it shall be issued in the format prescribed by the Government of India.

(iii) Certificates which include income and/or assets based information like creamy layer criteria shall become invalid after the validity period prescribed on the said certificate. Such certificates shall be valid for the current financial year, i.e. till coming 31st March (included) from the date it has been issued”.

(iv) A Caste Certificate may also become invalid if after due process, it has been concluded that the caste was incorrectly mentioned on the certificate or wrongly verified in the FIDR, due to any reason whatsoever.”

17. A bare perusal of the above reproduction shows that any certificate issued will lose its sanctity on 31st March of the year concerned. In the present case, the certificate attached by the appellant was of January, 2024, validity of which came to an end automatically on 31.03.2024. Hence, attaching such an invalid certificate along with the application form, which was submitted much after 31.03.2024, cannot be accepted as a valid certificate for granting the benefit of the process. It may be noticed that even as per the advertisement, the certificate in terms of the instructions dated



22.03.2022 was required to be submitted. Hence, the BCA certificate attached with the application form was an invalid certificate.

18. The last argument which has been raised by learned senior counsel for the appellant is that once, after the date of scrutiny, a fresh certificate was submitted by the appellant, she should have been treated as eligible, especially when there were posts which were available even as of now in the BCA category. A candidate who does not attach the relevant certificate, his/her application is to be treated as cancelled automatically, as per Clause 11.2 of the advertisement. The relevant condition reads as under:

“XXX

11.2. Scanned Copy of SC/BCA/BCB//ESM//PwD (Person with Disabilities) certificate, eligibility certificate for family member of ESM and children/grandchildren of Freedom Fighters.”

XXX

12.12. Scanned documents uploaded with application form shall only be considered for deciding the qualification criteria and reservation criteria for the post. No document which is not uploaded shall be considered.

19. A bare perusal of the above condition would show that such certificate which is not attached with the application form or an incorrect certificate attached with the application form, such application may not be consideration. Hence, for all intents and purposes, there was no valid BCA certificate attached with the application form. Hence, merely because subsequent to the last date, another certificate was issued to the appellant, the same will not ratify her application form to be treated as an eligible candidate.

20. The Coordinate Bench of this Court in LPA-1397-2025, titled as



‘Haryana Public Service Commission vs. Pardeep Kumar and others’, decided on 03.11.2025, along with a bunch of cases, it has been observed that a person must possess the eligibility qualification on the last date fixed for such purpose. Relevant paras of the said judgment are as under:-

“34. *In Dolly Chhanda Vs. Chairman, JEE and others* ;(2005) 9 SCC 779, the issue came to be examined by the three Hon’ble Judges’ Bench of the Supreme Court in the context of denial of admission to the appellant therein in the MBBS Course. The principle of law, culled out by the Apex Court is contained in Para 7 of the said judgment, which is reproduced hereinafter:-

“7. The general rule is that while applying for any course of study or a post, a person must possess the eligibility qualification on the last date fixed for such purpose either in the admission brochure or in application form, as the case may be, unless there is an express provision to the contrary. There can be no relaxation in this regard i.e. in the matter of holding the requisite eligibility qualification by the date fixed. This has to be established by producing the necessary certificates, degrees or marksheets. Similarly, in order to avail of the benefit of reservation or weightage etc. necessary certificates have to be produced. These are documents in the nature of proof of holding of particular qualification or percentage of marks secured or entitlement to benefit of reservation. Depending upon the facts of a case, there can be some relaxation in the matter of submission of proof, and it will not be proper to apply any rigid principle as it pertains in the domain of procedure. Every infraction of the rule relating to submission of proof need not necessarily result in rejection of candidature.”

35. The Apex Court made it explicit that general rule, while applying for any course for study or post, is that the person concerned must possess the



eligibility qualification on the last date fixed for such purpose. There can be no relaxation in this regard. It has to be established by producing the necessary certificates/degrees or marksheets. To avail benefit of reservation or weightage etc., necessary certificates would have to be produced. These are documents in the nature of proof of holding of a particular qualification or percentage of marks secured or entitlement to benefit of reservation. Depending upon the facts of a case, there can be some relaxation in the matter of submission of proof, and it will not be proper to apply any rigid principle as it pertains in the domain of procedure. Every infraction of the rule relating to submission of proof need not necessarily result in rejection of candidature.

21. It may also be noticed that some of the candidates in LPA-1397-2025 had approached the Hon'ble Supreme Court of India, assailing the aforesaid judgment by filing SLP(C) No.030533 of 2026, which has been dismissed vide order dated 25.08.2026.

22. With regard to the vacant posts which are available, learned State counsel has submitted that only the candidates who were eligible and had competed in conformity with the terms and conditions of the advertisement are to be considered. The said argument is valid. Even if, the appellant has obtained more marks than the last selected candidate, the competition undertaken was only provisional and selection of the candidate was to be finalized after the scrutiny of documents. It may be noticed that appellant failed the said scrutiny and was not allowed to proceed further. On the mere aspect that the posts are lying vacant, appellant's candidature cannot be considered by ignoring the claim of the candidate, who competed



in conformity with the application. Hence, such posts can only be given to those candidates whose application was complete in conformity with the advertisement and not to the appellant, who was subsequently found unsuitable to compete in such unreserved category.

- 23. No further arguments have been raised.
- 24. The order is dictated in the open Court in the presence of learned counsel for the parties.
- 25. Keeping in view the above, no ground is made out for any interference by this Court in the facts and circumstances of the present case and the present appeal is accordingly dismissed.
- 26. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(MINDERJEET YADAV)
JUDGE

September 14, 2026
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Whether speaking/reasoned	Yes
Whether reportable	No