

2025:PHHC:067368



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

228

CWP-14810-2021 (O&M)

Date of decision: 20.05.2025

Amarjit Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Vishal Garg, Advocate for the petitioner.

Mr. Swapan Shorey, DAG, Punjab.

Mr. Rajiv Joshi, Advocate for respondent No.2.

Mr. Sahil Nain, Advocate for respondent No.3.

AMAN CHAUDHARY, J. (Oral)

1. Learned counsel submits that the petitioner who had applied under the SC category for appointment to the post of Peon in terms of Advertisement dated 31.07.2017 (Annexure P1) was initially rightly found to be selected, however, subsequently, respondent No.3 was appointed in his place who had not even applied in the said category.

2. Learned counsel appearing for respondent No.2 states that respondent No.3 had obtained 40.67 marks in the general skill test (practical) on an assessment of general attitude, behavior, dress and mannerism and on careful perusal of his application submitted, he had applied under SC Category but he had been inadvertently considered under the Ex-Servicemen Category, while the petitioner had secured 39.33 marks and kept at Sr. No.1 in the waiting list and refers to averments made in para 4 and 5 of the reply to which neither any

counter had been filed nor the learned counsel during the course of argument could repel the submissions made above and the stand taken, which read thus:-

“4. That an office order dated 08.11.2017 was put up by the office whereby it was mentioned that from the post of Chowkidars and peons, some deficiencies had been noticed in various applications including the application No.11 of the revised list of the candidates bearing dated 18.08.2017 of the petitioner namely Surjit Singh son of Sadhu Singh. The above said office note was approved by the Hon’ble Executive Chairman, Punjab State Legal Services Authority and it was approved that the candidates be permitted to rectify the shortcomings at the time of general skill test. Thereafter, the general skill test was held and the deficiencies in filling up of the forms which had been pointed out by the office, were got rectified. The true copy of the office note dated 08.11.2017 has been annexed as Annexure A1 for ready reference.

5. That as per the office record, an office note dated 18.01.2018 (Annexure A2) shows that the officials namely Sarbjot Singh, Clerk and Smt. Manjit Kaur Senior Assistant have got filled category of the candidate namely Surjit Singh son of Sadhu Singh as SC, at the time of general skill tests.

However, due to oversight by the clerical staff, the list of candidates applying under various categories was not updated after and as per rectifications carried out in the applications/forms in compliance of the orders permitting rectifications passed by the Hon’ble Executive Chairman, Punjab State Legal Services Authority. The above said fact was clearly mentioned in the said office noting dated 18.01.2018 whereby it was culled out that the said category wise list has not been updated after making of the rectifications in the application forms by the applicants at the time of general skill test. Consequently, an inadvertent clerical error resulted while declaring the result on 11.01.2018 (Annexure P4).”

3. No right accrues on mere selection as held in **Sudesh Kumar Goyal vs. State of Haryana**, 2023 SCC OnLine SC 1201 and in view of the stand taken by the respondents referred to above, there is found no reason to interfere in this petition and as such, the same is hereby dismissed.

20.05.2025
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No