



CWP-13886-2025

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

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CWP-13886-2025

Date of Decision: 15.05.2025

Rajat

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Ms. Aruna Sachdeva, Advocate for the petitioner

Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking direction to respondents to consider him for appointment as Constable Driver.

2. Pursuant to advertisement of 2016, the petitioner applied for the post of Constable Driver in the District Police Cadre. He participated in the selection process and as per communication dated 28.03.2025, his name figured at Serial No.45 in the waiting list. 13 candidates out of the waiting list were selected. The petitioner being at Serial No.45 was not selected.

3. Learned counsel for the petitioner submits that a Division Bench of this Court vide judgment dated 13.01.2025 (Annexure P-9) passed in *LPA No.376 of 2021, Gurpiar Singh and others v. State of Punjab and others* has held that rules of recruitment cannot be changed after the commencement of selection process. The respondent has selected many



candidates in February' 2025 out of the waiting list, thus, the petitioner also deserves to be considered.

4. Notice of motion.

5. Mr. Aman Dhir, Deputy Advocate General, Punjab, who on advance notice is present in Court, accepts notice on behalf of respondent-State.

6. On the request of both sides, the matter is taken up for final adjudication.

7. Learned State counsel submits that there is no candidate who was in the waiting list and has been selected in February' 2025. On account of interim orders of this Court, 195 seats of another advertisement were kept reserved. On the direction of this Court, those seats have been filled up in 2024-25. Th said advertisement has no bearing on the case of the petitioner.

8. I have heard the arguments of learned counsel for both sides and perused the record with their able assistance.

9. The petitioner has not challenged order dated 27.03.2025 whereby respondent has rejected his claim on the ground that 13 candidates were permitted to join out of the waiting list and the petitioner was at Serial No.45. The waiting list was valid for 180 days, thus, no candidate from the waiting list could be considered. There is nothing on record disclosing that the claim of the petitioner was wrongly rejected despite being within the zone of consideration. As per communication dated 13.02.2025, the petitioner was at Serial No.45 and in the absence of evidence, this Court cannot conclude that he was wrongly rejected.

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10. In the backdrop, this Court finds that there is no substance in the instant petition, thus, the same deserves to be dismissed and accordingly, dismissed.

11. This order would not inhibit the petitioner to collect information to prove that he was within the merit list and was wrongly rejected.

(JAGMOHAN BANSAL)
JUDGE

15.05.2025
Mohit Kumar

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