



CWP-33598-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CWP-33598-2025

Date of Decision: 13.11.2025

Arshdeep Singh Anand and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Sarthak Gupta, Advocate and
Mr. Saurabh Gupta, Advocate for the petitioners
Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of provisional selection list dated 25.05.2023 (Annexure P-4) and final merit list dated 20.07.2023 (Annexure P-5) for the post of Sub-Inspector (TSS Cadre) to the extent meritorious EWS candidates were wrongly adjusted against EWS quota instead of General Category. They are further seeking directions to respondents to issue them appointment letter for the post of Sub-Inspector (TSS Cadre).

2. The petitioners, pursuant to Advertisement No.7/2021 dated 09.09.2021, applied for the post of Sub-Inspector (TSS Cadre). There were 27 posts for EWS Category. The petitioners applied under EWS Category. The respondent conducted Phase-I Test which the petitioners cleared. The petitioners thereafter cleared Phase-II Test. The respondent released provisional selection list dated 25.05.2023. There were 20 candidates in EWS Category who had scored more marks than last selected candidate in

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General Category. The respondent published final merit list on 20.07.2023 without shifting meritorious candidates of EWS Category to General Category. The respondent issued appointment letters on 18.10.2023. The respondent in reply to RTI application has confirmed that 85 posts out of advertised 267 posts are still lying vacant.

3. On being asked reason of approaching this Court in 2025 though appointment letter to selected candidates were issued in October 2023, learned counsel for the petitioners submits that 85 posts are still lying vacant, thus, no prejudice would be caused to any selected candidate.

4. Faced with this, learned State counsel submits that as per advertisement, there was cross utilization of seats. There were multiple domains and multiple applications. There was reservation for multiple categories. On account of complex process of selection, many seats remained vacant. If, at this stage, candidates of EWS Category are transposed to General Category or *vice versa*, there would be chaos because many candidates belonging to other categories especially reserved categories would create litigation.

5. The selection process was completed in 2023. The petitioner consciously remained dormant for 2 years and at this belated stage is trying to doubt decision of the Recruitment Board. Every selection process has to be completed. In the absence of completion of first process, it is difficult to start second process. The petitioner is guilty of delay in approaching this Court. It is settled proposition of law that Court cannot come to rescue of fence sitters.



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6. In the wake of above discussion and findings, this Court is of the considered option that present petition being bereft of merit deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

13.11.2025
Mohit Kumar

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