
(2021) 01 SHI CK 0130
In the High Court Of Himachal Pradesh
Case No : CWPOA No. 6489 Of 2020

Kushal Singh

APPELLANT

Vs

State Of Himachal Pradesh & Others

RESPONDENT

Date of Decision : 08-01-2021

Acts Referred:

Citation : (2021) 01 SHI CK 0130

Hon'ble Judges : Tarlok Singh Chauhan, J; Jyotsna Rewal Dua, J

Bench : Division Bench

Advocate : Tarun K. Sharma, Ashok Sharma, Vinod Thakur, Vikas Rathore, Shiv Pal Manhans, Bhupinder Thakur, Seema Sharma, Yudhvir Thakur Anjali Soni Verma, Pankaj Thakur

Final Decision : Disposed Of

Judgement

Tarlok Singh Chauhan, J

1. The instant petition has been filed for the grant of following reliefs:-

Â â??(i) That the action of the respondents whereby they have cancelled the candidature of the applicant for promotion to the post of Senior

Assistant solely on the ground that 10+2 of the applicant is from Grameen Mukta Vidyalaya Shiksha Sansthan (Respondent No. 4) may kindly be

quashed and set aside.

(ii) That the present OA may kindly be allowed and the respondents may kindly be directed to consider the applicant for promotion to the post of

Senior Assistant as per the Seniority List.â??

2. The grievance of the petitioner is that his 10+2 Class certificate issued by respondent No.4, Grameen Mukta Vidhyalaya Shiksha Sansthan, is not

being treated as valid certificate for the purpose of promotion to the post of

Senior Assistant.

3. The similar issue in respect of validity of the certificate(s) issued by respondent No.4, Grameen Mukta Vidhyalaya Shiksha Sansthan, has been adjudicated by this Court in CWP No.849 of 2019, titled Priyanka Devi versus State of Himachal Pradesh & others, decided on 10.09.2019, wherein, it has been held that the said institute was duly recognized with Himachal Pradesh Board of School Education during the period 01.12.2017 to 05.02.2019.

4. It is not in dispute that 10+2 Class certificate of the petitioner (Annexure A-3), was issued by the Grameen Mukta Vidhyalaya Shiksha Sansthan, during the aforesaid period 01.12.2017 to 05.02.2019. Therefore, the same is valid and effective for all intents and purposes i.e. for promotion, applying for government jobs or getting admission for higher education in the State of Himachal Pradesh.

5. In view of the above, there shall be a direction to the respondent-State to consider the 10+2 Class certificate of the petitioner issued by Grameen Mukta Vidhyalaya Shiksha Sansthan, as a valid certificate for promotion, applying to government jobs or getting admission for higher education.

With the aforesaid observations/directions, the instant writ petition stands disposed of, so also pending miscellaneous application.