

(2021) 07 SHI CK 0121

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 2616 Of 2021

Rahul Verma And Others

APPELLANT

Vs

State Of Himachal Pradesh And Another

RESPONDENT

Date of Decision : 12-07-2021

Acts Referred:

Citation : (2021) 07 SHI CK 0121

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Sanjeev Bhushan, Rajesh Kumar, Ajay Vaidya, Angrez Kapoor

Final Decision : Disposed Of

Judgement

Ajay Mohan Goel, J

1. The petitioners in this writ petition are aggrieved by arbitrary rejection of their candidatures by the respondent-Commission for being considered for

appointment to the post of Junior Office Assistant (Information Technology), which posts were advertised by the respondent-Commission vide

Advertisement No. 32-3/2016, dated 18.10.2016, inter alia on the ground that the diplomas possessed by them were not found from the institutions

recognized by the government.

3. It is not in dispute that the petitioners do possess the diplomas either in Computer Science or in Computer Applications or in Information

Technology. The issue with regard to the act of the respondent-Commission qua the recognition of the Institutions, from which the petitioners have

obtained their diplomas, is no more res integra and the same stands decided by this Court in number of cases, including in CWPOA No. 20 of 2019,

titled as Shubham Thakur and others vs. State of Himachal Pradesh and others,

decided on 19.03.2021.

4. Accordingly, as agreed, this petition is disposed of with the direction that the directions passed by this Court in Shubham Thakurâ??s case supra

shall mutatis mutandi apply to this writ petition also and all directions passed in the abovementioned writ petition, shall be construed to have been

passed in this writ petition also. In other words, candidature of the petitioners shall be considered by the respondent-Commission strictly in terms of the

judgment passed by this Court in Shubham Thakurâ??s case supra.

5. It goes without saying that the number of posts of Junior Office Assistant (Information Technology) (Post Code 556), which stood advertised by the

respondent-Commission in the year 2016, have first to be exhausted by considering the petitioners and other similarly situated persons, and if eligible,

by recommending their names for appointment against the post in issue. It is clarified that the subsequent process, which has been initiated by

advertising the post of Junior Office Assistant (Information Technology), by the respondent-Commission, be not taken to its logical conclusion, without

first exhausting the number of posts, which stood advertised in the year 2016 from amongst the eligible candidates.

The petition stands disposed of in above terms, so also pending miscellaneous application(s), if any.