

Pushpender Kumar Vs. HPSSC & Ors a/w
connected matters

CWPOA Nos. 5396 and 6262 of 2020

18.09.2025 Present : Mr. Ganesh Barowalia, Advocate, for the
petitioner.

Mr. Angrez Kapoor, Advocate, for respondent
No. 1.

Mr. Amit Sharma, Advocate, for respondent
No. 2.

Mr. Arvind Sharma, Advocate, for respondents
No. 3 to 6.

Heard learned counsel for the parties. During
the course of hearing, an order dated 02nd September,
2025, passed by Hon'ble Division Bench of this Court in
LPA No. 282 of 2025 has been produced in which on the
basis of affidavit filed by respondent No. 3 in aforesaid
LPA, an observation has been made that requisition for
08 posts of Refrigeration Plant Operator has been made
to the Office of the Secretary, Rajya Chayan Aayog,
Hamirpur on 06.12.2023.

In the petitions, being considered by this
Court, the claim made by petitioner in CWPOA No. 6262
of 2020 is against the posts reserved for OBC (UR)
Category, whereas the petitioner in CWPOA No. 5396 of
2020 is claiming his right against the posts in General
(UR) Category.

The facts as have been revealed show that while making the selections originally, the respondent/Commission had selected the candidate, who had applied under OBC (UR) Category, against the General (UR) Category post. Hypothetically, the decision in the petitions before me may lead to the ouster of one and more of the selected candidates. In order to avoid the said situation, the adjustment of both the petitioners herein against vacant posts, if any, taken into consideration by Hon'ble Division Bench, vide order dated 02.09.2025 in LPA No. 282 of 2025, can be one of the solutions.

Let respondents No. 1 and 2 file their respective affidavits showing the vacancy position and the stage of recruitment process, if any, undertaken in respect of those 08 vacancies for the post of Refrigeration Plant Operators.

Needful be done on or before the next date of hearing.

List on **22.09.2025.**

(Satyen Vaidya)
Judge

18th September, 2025
(Shamsh Tabrez)