

Ruby Attri Vs. State of Himachal Pradesh & Anr.

CWP No. 12345 of 2025

30.07.2025 Present: Mr. Arsh Chauhan, Advocate, for the petitioner.

Mr. Anup Rattan, Advocate General, Mr. Rajan Kahol, Mr. Vishal Panwar & Mr. B.C. Verma, Additional Advocates General with Mr. Ravi Chauhan, Deputy Advocate General, for respondent No. 1-State.

Mr. Vikrant Thakur, Advocate, for respondent No. 2.

Petitioner herein at first instance applied for the post of Junior Auditor in State Audit Department for seat reserved under SC category and admittedly, he qualified the exam and would have made place for him qua the seat reserved for SC category, but since her SC Certificate was found invalid, her candidature was rejected. Subsequently, Public Service Commission prepared combined merit list, wherein petitioner figured at serial No. 15.

Precise claim of the petitioner is that even though her candidature under SC Category was rejected, but since she was able to find place at serial No. 15 of combined merit list, her candidature should have been considered under Unreserved Category in view of law laid down by Hon'ble Apex Court in Saurav Yadav And Others Vs. State of Uttar Pradesh, (2021) 4 Supreme Court Cases 542.

Though at this stage, Mr. Vikrant Thakur, learned counsel for respondent No. 2, attempted to argue that once

selection process stands culminated, present petition is not maintainable, but having taken note of facts, as detailed hereinabove, coupled with the law laid down by Hon'ble Apex Court in **Suraj Yadav** (*supra*), this Court finds it necessary to call upon respondent No. 2 to file short reply/affidavit, specifically stating therein that why name of the petitioner was not considered for seat reserved under General Category, especially when her name figures at serial No. 15 of combined merit list prepared by Public Service Commission.

List on 13.08.2025.

July 30, 2025
(*sunil*)

(Sandeep Sharma),
Judge