

Ashish Kumar v. State of Himachal Pradesh and others

CWP No.12944 of 2026

30.07.2026 Present: Mr. Dhiraj Thakur, Advocate, for the petitioner.
Mr. Ramakant Sharma, Additional Advocate General,
for respondents No.1 to 3 and 5-State.
Mr. Shubham Singh Guleria, Advocate, for
respondent No.4-H.P. Public Service Commission.

CWP No.12944 of 2026

Notice. Mr. Ramakant Sharma, learned Additional
Advocate General and Mr. Shubham Singh Guleria, learned
Standing Counsel, appear and waive service of notice on behalf
of respondents No.1 to 3 & 5 and respondent No.4, respectively.

2. Replies, as prayed, be filed within four weeks.

3. List for consideration on **17.09.2026**.

CMP No.19171 of 2026

4. Notice and replies in aforesaid terms.

5. It is the case of the applicant-petitioner that his
initial appointment, though, was on contract, but was after
following the Recruitment & Promotion [R&P] Rules and he
was appointed on contract basis after facing the rigors of
R&P Rules as applicable to regular appointment, and in view of
the judgments passed by this Court as upheld by Apex Court, he
is entitled for counting his contract service, but after
regularization, for service benefits, which also includes length
of service to be counted towards the eligibility to apply and
appear in the process for selection of Section Officer, for which
three years' minimum regular service is the eligibility condition

for submitting applications, whereas, after regularization, the applicant-petitioner has not completed three years' service however, by adding contract service of two years and four months, he would be eligible for submitting the application for selection to the post of Section Officer in response to the Advertisement dated 09.07.2026 *Annexure P-10*] issued by respondent No.4-H.P. Public Service Commission, but for want of issuance of certificate to be submitted with online application as required in the Advertisement, the application of the applicant-petitioner either be rejected or not accepted by the system.

6. It has been submitted by learned counsel for the applicant-petitioner that last date for submitting applications is 05.08.2026 and the application shall be accepted by the system only on appending the necessary certificate prescribed in the Advertisement. However, for not counting contract service the requisite certificate is not being issued to the applicant-petitioner.

7. Keeping aforesaid claim of the applicant-petitioner open, at this stage, the respondents are directed to issue provisional eligibility certificate/NOC to the applicant-petitioner **on or before 01.08.2026**, as required in terms of Advertisement, so as to enable him to upload his application on the website, which shall be considered provisionally by allowing the applicant-petitioner to appear in the test for the post of Section Officer, if conducted before next date of hearing.

8. It is made clear that aforesaid order shall not create any equity in favour of the applicant-petitioner, and his participation in process shall be subject to further order passed in this regard.

9. List for consideration along with petition on next date.

(Vivek Singh Thakur)
Judge

(Ranjan Sharma)
Judge

July 30, 2026
[Bhardwaj]