

Jitender Kumar Vs. State of H.P. & Ors.

CWP No.16528 of 2026

22.09.2026 Present: Mr. Aashish Kumar, Advocate, for the petitioner.

Mr. Rajat Choudhry, Assistant Advocate General,
for the respondents.

CWP No.16528 of 2026 & CMP No.24642 of 2026

Notice. Mr. Rajat Choudhry, learned Assistant Advocate General, appears and waives service of notice on behalf of the respondents.

Inviting attention to Annexures P-6 to P-10, learned counsel canvasses petitioner's claim that on account of litigation emanating from CWPOA No.3573/2019, filling up of 870 posts of Physical Education Teachers had been withheld; These posts included 230 posts of backlog; Pursuant to the finality attached to the decision rendered in the aforesaid litigation, the respondents have now taken up the process for filling up the posts in question, however, not in consonance with the Recruitment & Promotion Rules, but in terms of a new Job Trainees Scheme. *Prima facie*, there seems to be substance in petitioner's grievance that 230 posts from backlog are required to be filled up in accordance with Rule 10 of Recruitment & Promotion Rules governing the posts in question, on regular basis that is 50 (direct/contractual) : 50 (batch-wise).

Let reply be filed within two weeks.

List on **07.10.2026**.

In view of the case set up by the petitioner, the respondents are directed not to fill up 230 backlog posts of Physical Education Teachers (Annexure P-10) on Job Trainee basis till the next date of hearing.

September 22, 2026
Mukesh

Jyotsna Rewal Dua
Judge