

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CMP.M No. 1019 of 2026 &

LPA No. 401 of 2026

Decided on : 09.07.2026

Reenu

...Appellant

Versus

State of Himachal Pradesh and another

...Respondents

Coram

The Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.

The Hon'ble Mr. Justice Bipin C. Negi, Judge.

Whether approved for reporting?¹

For the appellant : Mr. Naresh Kumar Verma,
Advocate.

For the respondents : Mr. Arsh Rattan, Deputy Advocate
General, for respondent No.1.
Mr. Vishwajeet Singh, Advocate, for
respondent No.2.

G.S. Sandhawalia, Chief Justice (Oral)

CMP.M No. 1019 of 2026

Keeping in view the averments made in the application, duly supported by an affidavit of the applicant, delay of 169 days in filing the appeal is condoned.

2. The application stands disposed of accordingly.

LPA No. 401 of 2026

3. Appeal be registered.

4. The appellant seeks consideration of the judgment passed by the learned Single Judge, in ***Civil Writ Petition No.***

¹ Whether reporters of the local papers may be allowed to see the judgment?

2922 of 2022, titled **Reenu Vs. State of Himachal Pradesh and another**, dated 26.03.2025, whereby the learned Single Judge had dismissed the writ petition keeping in view the law laid down by the Apex Court in **Ranjana Kumari Vs. State of Uttarakhand and others, (2019) 15 SCC 664**. It was accordingly held that the petitioner on account of being married in Himachal Pradesh in 'Ramdasia Caste', which was recognized as 'Scheduled Caste' in the State of Punjab, was not liable to be given the benefit of the said Scheduled Caste category and the Caste Certificate produced by her had rightly not been accepted by the respondents and her candidature to the post of Trained Graduate Teacher (Arts.) in the Scheduled Caste category had been rightly rejected.

5. Counsel before the learned Single Judge had referred to other judgments passed by this Court in **CWP No. 8181 of 2021**, titled **Pinki Bagga Vs. State of Himachal Pradesh and others**, decided on 20.04.2022, **CWP No. 2651 of 2020**, titled **Naveen Kumari Vs. State of Himachal Pradesh and others**, decided on 04.09.2021 and **Review Petition No. 47 of 2021**, titled **State of Himachal Pradesh Vs. Smt. Naveen Kumari**, dated 04.09.2021, whereby the relief had been granted. The said decision as such, was accordingly distinguished by the learned Single Judge on the ground that the judgment passed in

Ranjana Kumari's case (supra) would cover the field and also that in the subsequent decision in **Civil Writ Petition No. 8043 of 2021**, titled **Subeena Sabri Vs. State of Himachal Pradesh and others**, decided on 19.05.2022, the precedent laid down in **Ranjana Kumari's** case (supra) had been followed.

6. In **Letters Patent Appeal No. 701 of 2025**, titled **Jaswinder Kaur Vs. State of Himachal Pradesh and others**, (decided on 27.05.2026), alongwith **Letters Patent Appeal No. 702 of 2025**, titled **Sarvjeet Saini Vs. State of Himachal Pradesh and others** and **Letters Patent Appeal No. 313 of 2026**, titled **Anu Rani Vs. State of Himachal Pradesh and others**, we were also seized of the same issue as to whether the ladies who had shifted to the State of Himachal Pradesh and had been married within the same caste, were also liable to be given the benefit as such, despite the fact that they were not born in the State of Himachal Pradesh and had only come by way of marriage.

7. Resultantly, keeping in view the law laid down by the Hon'ble Apex Court in **Ranjana Kumari's** case (supra) and the fact that the matter had been referred to and answered by a Three-Judge Bench, the above-said appeals were dismissed by us, relevant portion of which reads as under:-

“5. In **Ranjana Kumari's** case, a similar issue had

arisen, wherein a person belonging to the Balmiki Caste, a Scheduled Caste of the State of Punjab, had married to a person belonging to the Balmiki Caste of Uttarakhand and migrated to that State and had thus claimed the benefit of being recognized as a Scheduled Caste in the migrated State, which did not find favour with the Apex Court.

6. *It would be clear that, on an earlier occasion, the reference, as such, was on a specific issue, and the matter had been referred by Ranjana Kumari in the following terms:-*

"15. The question arising in this appeal is whether a person like the appellant, who is a Scheduled Caste in the State where she was born will not be entitled to the benefit of reservation after marriage in the State where her husband is living despite the fact that the husband also belongs to Scheduled Caste and the particular Caste falls in the same reserved category in the State of migration and that she is a permanent resident of that State."

7. *The question so referred in Ranjana Kumari's case (supra) has been answered by three Judges of Hon'ble Supreme Court in 2019 (15) SCC 664, as under:-*

1. We have heard the learned counsel for the parties and perused the relevant material.

2. The appellant who belongs to Valmiki caste (Scheduled Caste) of the State of Punjab married a person belonging to the Valmiki caste of Uttarakhand under the Presidential order "Valmiki" is also recognized as a notified Scheduled Caste. The State of Uttarakhand issued a certificate to the appellant.

3. The appellant contended before the High Court that she was a Scheduled Caste of the State of

Uttarakhand. The High Court having rejected the claim, the appellant is in appeal before us.

4. Two constitution bench judgments of this Court in Marri Chandra Shekhar Rao v. Seth G.S. Medical College and Action Committee on Issue of Caste Certificate to SCs/STs v. Union of India have taken the view that merely because in the migrant State the same caste is recognized as Scheduled Caste, the migrant cannot be recognized as Scheduled Caste of the migrant State. The issuance of a caste certificate by the State of Uttarakhand, as in the present case, cannot dilute the rigours of the constitution bench judgments in Marri Chandra Shekhar Rao and Action Committee.

5. We, therefore, find no error in the order of the High Court to justify any interference. appeal is accordingly dismissed."

8. The case was referred and thereafter answered keeping in view the fact that the Apex Court had specifically held that the benefit cannot be granted in the State to which the person had migrated on marriage. Therefore, we are of the considered opinion that our hands are tied by the principle of precedent and that we are bound to follow the judgment of the Apex Court.

9. Resultantly, we do not find any plausible reason to take a different view, and the State is justified in its stand. Therefore, the appeals are dismissed, along with the pending miscellaneous applications, if any."

8. Keeping in mind the view already taken by us in **Jaswinder Kaur's** case (supra) alongwith connected matters, we do not find any plausible reason to take a different view in this

matter. Therefore, the present appeal is dismissed. Pending miscellaneous application(s), if any, also stands disposed of accordingly.

(G.S. Sandhawalía)
Chief Justice

(Bipin C. Negi)
Judge

July 09, 2026
(Shivank Thakur)