

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16168 of 2026
Date of Decision: 06.10.2026

Nikita Chandel

.....Petitioner

Versus

State of Himachal Pradesh & Ors.

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? Yes.

For the Petitioner: Mr. Suneel Awasthi, Advocate.

For the respondent: Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for the respondents-State.

Mr. Vikrant Thakur, Senior Advocate with Mr. Shubham Singh Guleria, Advocate, for respondent No.3.

Sandeep Sharma, J. *(Oral)*

Precisely, the case of the petitioner, as highlighted in the petition and further canvassed by Sh. Suneel Awasthi, learned counsel representing the petitioner, is that since note appended to the advertisement dated 17.06.2026 (Annexure P-1) specifically provides that candidates who qualify SET-26 shall also be eligible to apply for the posts mentioned in the advertisement and advertisement window shall be reopened for such candidates in case their result is declared after the closing date of the advertisement, a candidate like petitioner, whose NET-26 result was declared on 28.08.2026, by which date the

window to apply for the post of Assistant Professor (Political Science) was closed, is also required to be given similar treatment.

2. Prior to filing of the petition at hand, petitioner approached this Court by way of CWP No. 15605 of 2026, titled ***Nikita Chandel versus State of Himachal Pradesh and Ors.*** and this Court, having taken note of statement made by learned counsel for the petitioner that petition can be disposed of with a direction to respondent-Commission to consider and decide the representation of the petitioner in a time-bound manner, passed following order on 08.09.2026 i.e. (Annexure P-7):

"3. Consequently, in view of the above, this Court without going into the merits of the case, deems it fit to dispose of the same with a direction to respondent No.3- Commission to consider and decide the pending representations as indicated above, expeditiously, preferably within a period of two days after affording opportunity of being heard to the petitioner. Ordered accordingly.

4. Needless to say, authority concerned while considering the representation of the petitioner shall specifically consider the note appended to the advertisement dated 17.06.2026 (Annexure P-1), which provides that "Candidates, who qualify the SET-2026 shall also be eligible to apply for posts mentioned in this advertisement. The advertisement window shall be reopened for such candidates, in case the result of the same is declared after the closing date of this advertisement."

5. Aforesaid note suggests that candidate, who on account of delay in declaration of his /her SET-2026 result was unable to apply before the deadline as given in the advertisement notice, could have requested respondent No.3-Commission to reopen the

window for him/her. Since it is not in dispute that besides SET-2026, NET-2026 is also one of the essential qualifications to apply for the post of Assistant Professor (Political Science), petitioner herein, who has qualified NET-2026 on 28.8.2026 is also entitled to be extended benefit of the note appended in the advertisement dated 17.06.2026.

Pending applications, if any, also stand disposed of accordingly.”

3. Though pursuant to aforesaid directions issued by this Court in CWP detailed hereinabove, petitioner filed representation, but same has been rejected by respondent-Commission vide impugned order dated 11.09.2026 on the ground that it may not be administratively feasible to permit candidates, who have passed NET-26, to apply for the post of Assistant Professor (Political Science).

4. While placing on record communication dated nil, issued under the signature of Secretary, H.P. Public Service Commission, Sh. Vikrant Thakur, learned Senior Counsel representing the respondent-Commission, attempted to set up a case that ongoing examination schedule for the remaining subjects is already fixed, tightly time-bound and slated to be conducted on 11.10.2026. He stated that respondent-commission has acted with absolute bona fides, transparency and strict adherence to the principles of natural justice, but since recruitment process for the premier cadre has already progressed to an advanced stage, it may not be possible to accede to the request of the petitioner. However, Mr. Thakur was unable to

dispute that petitioner, after his having qualified NET, is also entitled to similar treatment, as is afforded to candidates who qualified SET-26 after the closing date of the advertisement.

5. Careful perusal of aforesaid order nowhere suggests that petitioner, who has qualified NET-26, is otherwise not eligible to apply against the post of Assistant Professor (Political Science). Though, in the judgment dated 08.09.2026 passed in CWP No. 15605 of 2026, this Court directed respondent-Commission to decide the representation of the petitioner, but in para 5 of the judgment, as detailed hereinabove, returned a categorical finding that *“since it is not in dispute that besides SET-26, NET-26 is also one of the essential qualifications to apply for the post of Assistant Professor (Political Science), petitioner herein, who has qualified NET-26 on 28.08.2026, is also entitled to be extended the benefit of the note appended to the advertisement dated 17.06.2026.”* In this background, this Court is persuaded to agree with Sh. Suneel Awasthi, learned counsel for the petitioner, that respondent-commission, while deciding the representation filed by the petitioner, ought to have taken into consideration this specific finding returned by this Court in para 5 of the judgment dated 08.09.2026. Since aforesaid judgment has attained finality, finding returned therein has also attained finality insofar as respondent No.3 is concerned and as such, this Court is persuaded to allow the present petition with a direction to the

respondents to permit the petitioner to apply for the post of Assistant Professor (Political Science) on the strength of her having passed NET-26, in the screening test/written examination scheduled to be held on 11.10.2026 in terms of the advertisement dated 17.06.2026. Ordered accordingly.

6. Needless to say, the instant judgment has been passed in peculiar facts and circumstances and as such, same shall not be treated as precedent, rather shall remain confined to the disposal of the present case.

7. In the aforesaid terms, present petition is disposed of along with pending applications, if any.

October 06, 2026
(sunil)

(Sandeep Sharma),
Judge