Item No. S-6 **Kewal Krishan vs. State of H.P. & Ors.**

CMP(M) No. 1683 of 2026

07.10.2026 **Present:** Mr. Vishwa Bhushan, Advocate, for the applicant/appellant.

Mr. Arsh Rattan, Deputy Advocate General, for respondents No. 1 to 4-State.

For the reasons stated in the application, which is duly supported by the affidavit of the applicant, delay of 131 days in filing the appeal is condoned. Application stands disposed of

LPA No. _____ of 2026

Be registered.

Inter alia submits that the petitioner had been impleaded under Order 1 Rule 10 CPC by the Tribunal on 01.04.2019 and he had been pursuing his remedy against the writ petitioner (applicant)/respondent - Om Prakash, who apparently on the date of his appointment on 22.04.2006 did not have the requisite qualification for the post of Physical Education Teacher (PET) at Government Middle School, Himgiri Kothi, which he obtained only on 26.07.2006. The learned Single Judge has also noticed this fact, which is not disputed in paragraph-8 of the judgment. It is submitted that the State vide order dated 18.06.2024 apparently regularized the services of Om Prakash and the learned Single Judge has, thus, gone on to hold that the said order is not

under challenge. It is, thus, contended that the petitioner would have *locus standi* and once Om Prakash does not have the requisite qualification, the State should have been given liberty to proceed against the said person in accordance with law as to whether he was eligible to hold the post or not and seek regularisation.

Notice. Mr. Arsh Rattan, learned Deputy Advocate General, appears and accepts notice on behalf of respondents No. 1 to 4-State.

Notice be issued to respondent No. 5, returnable for **09.12.2026**, on taking steps within one week.

(G. S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

7th October, 2026(sanjeev)