

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2174 of 2010**

Pawan Kumar Rathore S/o Ramswarup Rathore, aged about 28 years, R/o village Bicharpur, Post Sukli, Tahsil Lormi, District Bilaspur Chhattisgarh.

---- **Petitioner****Versus**

1. State of Chhattisgarh, Through Secretary, Department of Panchayat & Rural Development, DKS Bhawan, Mantralaya, Raipur, Chhattisgarh.
2. The Controller, Chhattisgarh Professional Examination Board, Pension Bada, Raipur, Chhattisgarh
3. The Collector, District Korba, Chhattisgarh.
4. The Chief Executive Officer, Janpad Panchayat, Pali, District Korba, Chhattisgarh.

---- **Respondents**

For Petitioner	:	Shri Praveen Das, Advocate.
For Respondent/State	:	Shri A.S.Kachhwaha, Additional Advocate General.
For Respondent No. 2	:	Shri Pankaj Agrawal, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice**Order on Board****09/10/2015**

1. Heard Learned Counsel for the Petitioner and Respondent No. 2.
2. Whether the Petitioner had mentioned his D.Ed qualification in his application for appointment as Shiksha Karmi Grade III or not is a question of fact. The return filed on behalf of Respondent No. 2 encloses an order dated 4.5.2010 issued by the Panchayat and Rural Development Department that such verification of facts can be done by the Chief Executive Officer of the Janpad Panchayat concerned or the Zila Panchayat, as the case may be.
3. Undoubtedly, if the Petitioner in his application form had mentioned his qualification as D.Ed, any omission by the Respondents with regard to the same cannot visit him with consequences if he does not suffer from any other disqualification for appointment. Respondent No. 3 and 4 are directed to

examine the original application of the Petitioner with regard to the fact whether he had disclosed his D.Ed qualification or not and act in accordance with law.

4. In so far as the claim of the Petitioner for posting in accordance with the option is concerned, the law stands settled that mere inviting of options creates no right and no mandamus can be issued on basis of the same.

5. The writ application stands disposed.

Sd/-

(Navin Sinha)
CHIEF JUSTICE