

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 428 of 2016

- Dinesh Kumar Shukla S/o Late Shri Jeevrakhan Prasad Shukla, Aged About 33 Years R/o Village Behagudru, Post Harathikala, Tehsil Jaijaipur, District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. The State Of Chhattisgarh Through The Secretary, Higher Education Department, Mantralaya, Mahanadi Bhawan New Raipur, District Raipur Chhattisgarh
2. Chhattisgarh Public Service Commission, Through Its Secretary, Shankar Nagar, Raipur, District Raipur Chhattisgarh

---- Respondent

For Petitioner	Mr. P.P. Sahu, Advocate
For Respondent No.1	Mr. O.P. Sahu, Government Advocate
For Respondent No.2	Mr. Y.C. Sharma, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

10/2/2016

Heard.

(2) The Chhattisgarh Public Service Commission advertised the post of Assistant Professor and prescribed the cut off date as 09.10.2014 and thereafter, extended the cut off date to 26.11.2014. Subsequently, a batch of writ petitions were filed bearing W.P. (S) No.5201/2014 (Dr. Mrs. Bhawna Nigam and others Vs. Union of India and others) and other connected matters, which came to be decided on 27.08.2015 by the Division Bench of this Court. The Division Bench by its order dismissed

the writ petitions, except to the limited extent for reconsidering grant of 5% relaxation to reserved category candidates at the High Secondary Level.

(3) Learned counsel for the petitioner would submit that the present petitioner has cleared the NET Examination in December 2014, but he could not fill up the form as the cut off date was prescribed as 26.11.2014, therefore, it be directed to extend the cut off date in order to make eligible the petitioner for the said post of Assistant Professor, stating that for the reserved category candidates, by the order of this Court, the corrigendum has been issued on 02.01.2016.

(4) Since the petitioner passed the NET examination after the cut off date i.e. 26.11.2014, he was not eligible and the Division Bench of this Court has only relaxed for the reserved category candidates, which cannot be made applicable to the non-reserved candidates like the petitioner, prescription of cut off date in this case is the prerogative of the Chhattisgarh Public Service Commission and in absence of challenge to the prescribed cut off date, there is no reason to entertain this writ petition seeking a writ for extension of cut off date.

(5) For the foregoing, the writ petition deserves to be and is hereby dismissed.

Sd/-

(Sanjay K. Agrawal)

Judge