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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7205 of 2017**

Smt. Poonam Patel W/o Vijay Shankar Patel, Aged About 26 Years,
R/o Village Brinjkot, Police Station Kartala, District Korba,
Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through Secretary, Department of Panchayat and Rural Development, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. The Controller (VYAPAM), Chhattisgarh Professional Examination Board, Pension Bada, Raipur, District Raipur, Chhattisgarh
3. The Collector, Raigarh, District Raigarh, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh, Chhattisgarh
5. District Education Officer, Raigarh, District Raigarh, Chhattisgarh

---- Respondents**Writ Petition (S) No. 7215 of 2017**

Khemraj Patel Son of Ramesar Patel, Aged About 28 Years, R/o
Village Azgar Khar, Police Station Basna, District Mahasamund,
Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through Secretary, Department of Panchayat and Rural Development, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. The Controller (VYAPAM), Chhattisgarh Professional Examination Board, Pension Bada, Raipur, District Raipur, Chhattisgarh
3. The Collector, Raigarh, District Raigarh, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh, Chhattisgarh
5. District Education Officer, Raigarh, District Raigarh, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Govind Dewangan, Advocate
For Respondents 1, 3 & 5	:	Shri Lav Sharma, Panel Lawyer
For Respondent no.2	:	Dr. S. K. Pandey, Advocate
For Respondent no.4	:	Shri Shashank Thakur, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

18.05.2018

Both these writ petitions have been filed against the action on the part of respondent no.4 declaring the petitioners ineligible for the post of Lecturer (Panchayat) in the recruitment process which was initiated on the basis of an advertisement issued in 2017.

2. Perusal of the advertisement would reveal that there were 12 posts advertised for the Lecturer (Panchayat) in Chemistry subject, 15 posts in Science subject and 20 posts in Biology subject.

3. Contention of the counsel for the petitioners is that though the petitioners have all the qualifications as is envisaged under the advertisement for the Chemistry as well as Science subjects yet they have been found ineligible only on the ground that they do not have qualification in Biology subject.

4. Perusal of the record would show that the petitioners are otherwise eligible for participating in the recruitment process for the post of Lecturer (Panchayat) in Chemistry and also in Science stream. There were 12 + 15 = 27 posts which have been advertised for these two subjects. The respondent authority has to only ensure as to whether the recruitment that has been made for filling up the 27 posts mentioned above are candidates more superior/meritorious than the present petitioners or not.

5. Learned counsel appearing for respondent no.4 today makes a submission that as per his instruction, there is still vacancy in the aforesaid two categories which has to be filled in.
6. Given the facts and circumstances of the case and also taking note of Annexure P-5 which shows that both the petitioners have been found meritorious and their name appears in the eligible category for Science subject placed at serial Nos. 3 & 5 respectively, let the cases of the petitioners also be considered by respondent no.4 for grant of appointment. Subject to the verification of their credential on merits if the petitioner are found suitable and meritorious, the respondents may issue suitable order for their appointment.
7. Accordingly, both these writ petitions stand disposed of.

Sd/-
P. Sam Koshy
Judge