

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6926 of 2017**

Neeraj Kumar S/o Shri Kala Ram Dewangan, age about 37 years,
R/o Gaya Nagar, near Deshmukh Kirana Store, Tah. & Dist. Durg
(CG)

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Department of Higher Education, Mahanadi Bhawan, New Raipur, District Raipur (CG)
2. The Chairman, Chhattisgarh Public Service Commission (CGPSC), Shankar Nagar Road, Raipur, District Raipur (CG)
3. The Registrar, University Grand Commission (UGC), Bahadur Shah Zafar Marg, New Delhi, PIN 110002

---- Respondents

For Petitioner	: Shri Rudra Nath Mukherjee, Advocate
For Respondent/State	: Shri Ashutosh Pandey, P.L.
For Respondent No. 2	: Shri Y. C. Sharma, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****11.05.2018**

The challenge in the present writ petition is to the non consideration of the petitioner for the post of Assistant Professor on account of his not having requisite eligibility criteria.

2. Contention of the counsel for the petitioner is that the petitioner has a degree in commerce and he has also undertaken MBA course, therefore, he was eligible for participating in the recruitment process initiated for filling up the post of Assistant Professor. He submits that the MBA certificate

that he has, should be treated as equivalent to post graduate degree that was required as per the advertisement as well as under the prescribed rules.

3. This contention of the petitioner is hard to accept for the reason that the MBA certificate cannot be equated with a post graduation degree issued from the recognized university. The rules prescribe minimum educational qualification of masters degree with 55% marks in the relevant subject from a institution/university. Likewise, the advertisement also prescribes the same qualification.

4. Admittedly, the petitioner in the instant case does not have a post graduate degree in commerce subject much less in any other subject. The only ground raised by the petitioner that the MBA certificate which he claims to be equated with that of post graduation degree is not tenable for the reason that MBA cannot be treated as a degree course until and unless it is recognized by the University or for that matter the competent authority in this regard.

5. Given the factual matrix of the case, this Court is of the opinion that the non consideration of the petitioner for the recruitment process cannot be found fault with. The writ petition being devoid of merit deserves to be and is accordingly dismissed.

**Sd/-
P. Sam Koshy
Judge**