

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 5007 OF 2018**

Smt. Draupadi Sahu W/o W/o Shri Santosh Sahu Aged About 36 Years
C/o Daddu Photocopy, Anmil Pariser, Near LIC Office, Station Road,
District Rajnandgaon, Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Animal Husbandry, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. Registrar, Chhattisgarh, Kamdhenu University Camp Office- Milk Technology College Raipur, District Raipur, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri SK Thomas, Advocate.
For Respondent-State	:	Shri SP Kale, Dy. A.G.
For Respondent No.2	:	Shri A.S. Kachhwaha and Ms. Pushpa Dwivedi, Advocates.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03.08.2018**

1. The challenge in this petition is to the advertisement dated 07.09.2016 (Annexure P/1) wherein the petitioner has been declared as ineligible for the post of Computer Operator.
2. The contention of the petitioner is that, in the advertisement the required qualification of PGDCA certificate from a recognized university is bad in law for the reason that in the earlier recruitment that were undertaken by the respondents they have accepted the candidature of those persons who had undertaken the said course from government recognized institutes other than the university.
3. On going through the relevant rules which is applicable in the respondents department, it reveals that the minimum qualification

prescribed for the said post of Computer Operator in the schedule is the same that has been prescribed in the advertisement.

4. Given the facts that the qualification prescribed in the advertisement is the same that has been prescribed in the rules, the grievance raised by the petitioner does not seem to be well founded. The decision of fixing the qualification for any post is exclusively within the domain of the employer unless the same is held to be bad in law by a competent court of law or the same stands modified, the rules would be held good and the advertisement published in accordance with the rules also cannot be held to be bad in law, arbitrary or illegal.
5. Thus, no case is made out by the petitioner calling for interference with the advertisement. The petition accordingly stands dismissed reserving the right of the petitioner to take recourse of other remedies available to her under the rules.

Sd/-
(P. Sam Koshy)
Judge