

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7992 of 2018**

- Sandeep Patel S/o Loknath Patel, Aged About 27 Years, R/o MIG - 646, Sector - 02 Dindayal Upadhyay Nagar, Raipur, District Raipur Chhattisgarh

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

1. State of Chhattisgarh Through Secretary, Department of Energy C.G. State S-2/10 Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. The Managing Director, Chhattisgarh State Power Holding Company Limited Vidyut Sewa Bhawan, Dangania, Raipur 492013 Chhattisgarh
3. Deputy General Manager (HR)-II Chhattisgarh State Power Holding Company Ltd. 2nd Floor Vidyut Sewa Bhawan, Dangania, Raipur - 492013 Chhattisgarh

**---- Respondents**


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|---------------------------|---|------------------------------------------------------------------|
| For Petitioner            | : | Shri Sudhir Verma and Shri Shashi Bhushan Singh Patel, Advocates |
| For State/Respondent No.1 | : | Shri Majid Ali, Dy. Govt. Advocate                               |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****05.12.2018**

1. The challenge in the present writ petition is to the advertisement Annexure-P/2 dated 18.07.2018 so far as the post of Account Officer/Assistant Manager (F&A)-Trainee. The substantial relief which the petitioner seeks in the present writ petition is to the direction to the respondents to prescribe the qualification for the said post equivalent with qualification which the department has prescribed for departmental candidates in the subsequent advertisement which the department has issued on 01.10.2018.

2. At the outset, this court does not find the claim of the petitioner to be justified for the reason that the petitioner cannot equate himself with departmental candidate. The qualification, the experience and the requirements for a departmental candidate is always different than that is required for a candidate who has applied by way of direct recruitment. On a query being put to the petitioner whether the qualification prescribed in the advertisement is the same as that of the Rules governing the field, he fairly submits that the qualification in the advertisement is the same as is in the Rules prescribed for the said course. Under the circumstances, this Court in exercise of the power under Article 226 of the Constitution finds it difficult to interfere with the advertisement as the same is in consonance to the Rules governing the field.

3. The writ petition accordingly stands dismissed. The reluctance of this Court in interfering with the advertisement would not preclude the petitioner from approaching the department seeking for relaxation of any qualification which they have prescribed in the advertisement.

Sd/-

**(P. Sam Koshy)**  
**Judge**