

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 591 of 2019

Arvind Kumar Kurm S/o Shri Vijay Kurm Aged About 35 Years R/o
Teachers Colony Danganiya Q. No. 54/431, Raipur, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Tribal And Scheduled Caste Development Department, Room No. S-4, Mahanadi Bhawan, New Raipur, Chhattisgarh. 492015.
2. The Commissioner Tribal And Scheduled Caste Development Department Block D Ground Floor, Indrawati Bhawan, New Raipur, Chhattisgarh 492015.
3. Assistant Commissioner Tribal Development Rajnandgaon, Collectorate, Room No. 65, District Rajnandgaon, Chhattisgarh. 491441.
4. The Collector Rajnandgaon, District Rajnandgaon, Chhattisgarh. 491441.

---Respondents

For petitioner	:	Mr. Abhyuday Singh, Advocate.
For State	:	Mr. Sameer Behar, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29/01/2019.

1. The limited grievance which the petitioner, at this juncture, raises is that the petitioner had applied for the post of "Music Teacher" under the respondents in an advertisement that was published on 12/04/18. The contention of the petitioner is that in spite of the fact that the petitioner did not have B.Ed degree, as one of the qualifications in the advertisement for the music teacher, yet the Department has already accepted the petitioner's candidature and he has also been shortlisted.
2. The only grievance of the petitioner is that at a later stage the claim of the petitioner should not be refused on the ground of the petitioner not having the qualification of B.Ed.
3. According to the petitioner, so far as the subject music is concerned, there is no requirement for having a B.Ed degree.

4. Without entering into the merits of the case, the writ petition as of now stands disposed off with a direction to the respondents that the authorities may consider and decide the representation which the petitioner has made so far as the educational qualification prescribed in the advertisement is concerned, against which the petitioner is aggrieved.

5. Let the representation be decided by the authorities within a period of 90 days from the date of receipt of copy of this order. The petitioner, in addition to the representation that he has already made, would also be at liberty to file a fresh representation, if he so feels.

6. This Court has not expressed any opinion on the merits of the case, so far as the entitlement of the petitioner is concerned, and the authority concerned would be at liberty to decide the representation in accordance with the law.

7. With the aforesaid observations, this writ petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Harneet