

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2303 of 2019**

Naved Siddiqui W/o Shri Arif Hussain Siddiqui Aged About 40 Years R/o
Ward No. 6, Maszid Para Dharamjaigarh, District Raigarh Chhattisgarh.,
District : Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Department Of Higher Education, Through The Secretary, Higher Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Public Service Commission Through Its Secretary, P.S.C. Kachna Pahuch Marg, Near Bhagat Singh Square, Geetanjali Colony, Shankar Nagar, Raipur, Chhattisgarh. 492001 Chhattisgarh., District : Raipur, Chhattisgarh
3. University Grant Commission Bahadur Shah Jafar Marg, New Delhi 110002., District : New Delhi, Delhi

---- Respondents

For Petitioner	:	Mr. Kamal Kishore Patel, Advocate
For State	:	Mr. Jitendra Pali, Dy. AG
For PSC	:	Mr. Ashish Shrivastava
For Res. No. 3	:	Mr. Rajkumar Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/04/2019**

1. The relief sought for in the present writ petition is for permission to participate in the selection process for the post of Assistant Professors through an advertisement published on 23/01/2019.
2. Solitary ground of challenge of the petitioner is in respect of the petitioner fulfilling all eligibility criteria, yet the application is not being accepted in the online system and that is the reason why the petitioner has approached this Court seeking a relief of an

appropriate direction in this regard. In addition, the petitioner also relied upon the interim order granted by this Court in WPS No. 1966/2016 for permission to the petitioner to participate in the recruitment process.

3. Counsel appearing for the PSC as well as University Grants Commission opposing the petition submits that the application of the petitioner herein was being not accepted by the system, for the reason that the petitioner does not fulfill the minimum eligibility criteria required. According to the respondents, the petitioner only is an M. Phil and has not cleared (NET/SET/SLAT) which is also mandatorily required along with the minimum qualification prescribed under the advertisement. That a candidate having P.H.D. would however be exempted from the requirements of clearing the (NET/SET/SLAT). In the instant case, since admittedly the petitioner has not cleared (NET/SET/SLAT), the petitioner becomes automatically ineligible for applying and that is the reason that his application was not being accepted by the system.
4. So far as the interim order granted by this Court in WPC No. 1966/2016 is concerned, those were in respect of the recruitment process that was initiated in the year 2016 under the then prevailing rules and guidelines which in process of time has received a considerable change in as much as new Rule itself has been framed and the UGC also has issued a new regulation in the year 2018 and the new rules of 2019 seems to be in consonance to the regulations framed by the UGC.

5. In view of the aforesaid facts the interim order granted in WPC 1966/2016 is cannot be automatically made applicable in the case of the petitioner and the writ petition to that extent does not find much force. The writ petition thus being devoid of merits and is accordingly stands dismissed.

Sd/-
(P. Sam Koshy)
Judge

Rohit