

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 3590 of 2019

Preeti Sahu D/o Ram Kumar Sahu Aged About 30 Years Presently Posted As Lecturer (Vidiya Mitaan), R/o Village - Konar, Post - Konar, Via, Gopalnagar, Tehsil - Pamgarh, District Janjgir Champa Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur Chhattisgarh.
2. The Secretary Panchyat And Rural Development Department, Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh.
3. Directorate of Public Instruction Through The Director, DPI, New Raipur Chhattisgarh.
4. Chhattisgarh Professional Examination Board, Through Secretary, Vyapam Bhawan, North Block, Sector 19, Atal Nagar, Raipur Chhattisgarh.
5. Collector District Bilaspur Chhattisgarh.
6. District Education Officer District Bilaspur Chhattisgarh.

---Respondents

Writ Petition (S) No. 3593 of 2019

Sanjeev Kumar Khunte S/o Nankidau Khunte Aged About 30 Years Presently Posted As Lecturer (Vidiya Mitaan), R/o Village Chote Sipat, Post - Bade Sipat, P.S. Malkharoda, District Janjgir Champa Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur Chhattisgarh.
2. The Secretary Panchyat and Rural Development Department, Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh.
3. Directorate Of Public Instruction Through The Director, DPI, New Raipur Chhattisgarh.
4. Chhattisgarh Professional Examination Board, Through Secretary, Vyapam Bhawan, North Block, Sector 19, Atal Nagar, Raipur Chhattisgarh.
5. Collector District Raigarh, Chhattisgarh.
6. District Education Officer District Raigarh, Chhattisgarh.

---Respondents

Writ Petition (S) No. 3604 of 2019

Takeshwar Ban S/o Ghasiya Ban Aged About 36 Years Presently Posted As Lecturer (Vidiya Mitaan), R/o Village - Tarighat, Tehsil - Patan, District Durg Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur Chhattisgarh.
2. The Secretary Panchyat And Rural Development Department, Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh.
3. Directorate Of Public Instruction Through The Director, DPI, New Raipur Chhattisgarh.
4. Chhattisgarh Professional Examination Board, Through Secretary, Vyapam Bhawan, North Block, Sector 19, Atal Nagar, Raipur Chhattisgarh.
5. Collector District Bastar, Chhattisgarh.
6. District Education Officer District Bastar, Chhattisgarh.

---Respondents

For Petitioners	:	Shri Rohit Sharma, Advocate.
For State	:	Shri Sameer Behar, Panel Lawyer.
For Respondent No.4	:	Shri Animesh Tiwari, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/05/2019

1. Since common facts and issues are involved in these writ petitions, these petitions are being disposed of by this common order.
2. Challenge in these writ petitions is to the minimum qualification prescribed for appointment to the post of Lecturer vide advertisement dated 09.03.2019.
3. On perusal of the rules governing the field, this court found that the qualification prescribed in the advertisement was what is prescribed under the rules governing the field. In view of the same, this court is of the opinion that no strong case is made out by the petitioners holding advertisement to be bad.
4. The counsel for the petitioners at this juncture submits that what the petitioners infact want is the relaxation to the said requisite eligibility criteria based upon the services which the petitioners have rendered as Vidya Mitan and also the promise which the government had made by way of certain declaration.

5. Both these claims of the petitioners are not one which could be taken as a ground for testing the veracity or validity of the advertisement which on perusal of rules found is to be in accordance with the rules governing the field.
6. Given the said facts, even for seeking any relaxation in so far as the minimum eligibility criteria is concerned, the only option available to the petitioners is of approaching the government in this regard and to seek for an appropriate relaxation based upon the alleged declaration that the government has made at some point of time.
7. Accordingly, reserving the right of the petitioners for the same, all the writ petitions in its present form stand dismissed.

Sd/-
(P. Sam Koshy)
Judge

inder