

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4805 of 2019

1. Jagesar Prasad Sahu, S/o Late Shree Muni Ram Sahu, Aged About 35 Years, R/o Shivrinarayan, Tehsil - Navagarh, Ward No. 15, District: Janjgir Champa, Chhattisgarh
2. Alok Chaturvedi, S/o Rajeshwar Prasad Chaturvedi, Aged About: 31 Years, R/o Kanya Shala Road, Masturi, District: Bilaspur Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department Mantralaya, Naya Raipur, District Raipur Chhattisgarh
2. Director, Directorate Of Public Instructions, Chhattisgarh Raipur, Near DKS Bhavan, Raipur, District : Raipur, Chhattisgarh

---Respondents

For Petitioners	:	Mr. Ishan Verma, Advocate
For State	:	Ms. Sunita Jain, Advocate

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

23.08.2019

1. The challenge in the present Writ Petition is to the advertisement dated 09.03.2019. The challenge also in the present Writ Petition is to the eligibility criteria prescribed for the teachers in English subject.
2. According to the petitioner, he has undergone his graduation in Political Science with English as one of the subjects and he has done is post-graduation in English literature. However, he has been deprived to participate in the recruitment process on the ground that he has not done his graduation in English literature.
3. Perusal of the records would show that, the Rules governing the field is the Rules which has been framed by the State Government in the year

2019 known as the **Chhattisgarh School Shikshak Sewa (Shaishanik Evam Prashashnik Samvarg) Bharti** **tatha Padonnati, 2019**. Annexure P-1 in the said rules clearly specifies the qualification, requirement for the post of teacher in English subject. The requirement is English literature as a subject at graduation level. The advertisement which has been issued on 09.03.2019 stipulates the same conditions for appointment of teachers in English subject. As such, the advertisement or conditions of the advertisement are not contrary to the Rules governing the field. The Rules are not under challenge in the present Writ Petition, unless the Rules are challenged and the persons who have done their post-graduation in English Literature are also made eligible for the said post. The petitioners would not have a right in their favour as admittedly, the petitioners have done their graduation in Political Science.

4. For the said reason, this court is reluctant to admit the Writ Petition. This Court is also reluctant to the fact that the advertisement was published on 09.03.2019, the last date for applying as per the advertisement Annexure P-1 was 25.04.2019. If the petitioners had been denied from applying for the same, they should have immediately approached the Court. The present Writ Petition is now being filed on 10.05.2019 after the last date of applying was over.
5. For this reason also, this Court would not find it sustainable. Accordingly, the present Writ Petition stands dismissed.

Sd/-
(P. Sam Koshy)
Judge