

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6403 of 2019

1. Durga Aditya, S/o Shri Itwari Ram Aditya, Aged About 33 Years, R/o Bhogha Para, Post- Sheorinarayan, District- Janjgir-Champa, Chhattisgarh
2. Dushyant Kumar Yadav, S/o Shri Dave Prasad Yadav, Aged About 32 Years, R/o Tahsil And District- Janjgir-Champa, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh
2. The Director, Directorate Of Public Instruction Near DKS Bhavan, 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 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 I 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 for the reason 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 after 4 months from the last date of applying/closed.

5. For this reason also, this Court would not find it sustainable.

Accordingly, the present Writ Petition stands dismissed.

**Sd/-
(P. Sam Koshy)
Judge**