

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1225 of 2020**

- Suneel Kumar S/o Shri Bidhun Ram, Aged About 32 Years R/o Gram Panchayat Lalati, Post Office Salka, Block Udaipur, District Sarguja Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya New Raipur, District Raipur Chhattisgarh
2. Director, Directorate Of Chhattisgarh Public Instruction, Indravati Bhawan, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner : Shri Ajay Shrivastava, Advocate

For Respondents/State : Shri Soumya Rai, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****24/02/2020**

1. Heard.
2. Learned counsel for the petitioner would submit that though the petitioner applied for the post of Lecturer (Botany) but his candidature was disqualified on the ground that he acquired two degrees in one academic year i.e. B.Ed. from Sarguja University as regular student and M.Sc. from Bhoj Open University in the year 2013, therefore, by Annexure P-1 the explanation has been called for which has been replied. He would further submit that the respondents may be directed to decide the eligibility of the candidate before the appointment is made as the petitioner has already filed the reply showing that he has passed B.Ed. in

the year 2013 and M.Sc. in the year 2014 in different academic year.

3. Without entering into the merits of this case, subject to the verification the Annexure P-1 a communication wherein the liberty has been granted to the petitioner to explain and as per Annexure P-8 explanation has been given by the petitioner, it is directed that the respondent No.2 may decide the case of the petitioner before the appointments are finalized.
4. It is further made clear that this Court has not made any observation on the merits of the case and it would be completely open to the authorities to evaluate the merit as to whether the B.Ed. and M.Sc. have been passed out in the same year or in the separate year as the quality of the teachers cannot be compromised.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu