

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3745 of 2017**

Rachana Singh, W/o. Sanjeev Kumar Jha, Aged About 37 Years, C/o. Sanjeev Kumar Jha, Irrigation Colony, Jailpara, Surajpur, Police Station Kotwali, Surajpur, District Surajpur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of Higher Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur Chhattisgarh.
2. Chhattisgarh Public Service Commission, Through Secretary, Shankar Nagar Raipur, District Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Prafull Bharat, Advocate
For Respondent No.1	:	Ms. Richa Shukla, Dy. Govt. Advocate
For Respondent No.2	:	Mr. B.D.Guru, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****05.03.2020**

1. Grievance of the petitioner is that the petitioner appeared in the examination conducted by the Chhattisgarh Public Service Commission for the post of Assistant Professor (Political Science), which was advertised on 05.09.2014. Admittedly, the written examination was conducted on 21.05.2016 and thereafter no communication was made about result. It is contended that the intimation of the written examination though was intimated to the petitioner on the mobile, however, when the result were to be declared, it was completely silent. It is contended it was only after some of the colleagues who received the call for interview after declaration of the result on 25.05.2017, the petitioner came to know about the fact that the results were declared. Consequently, the petitioner could not get the interview call despite qualified in the written examination.

2. It is stated that the time gap in between written examination and the result declaration is one year as the written examination was conducted on 21.05.2016 whereas the results were declared on 25.05.2017. It is further submitted that it is not expected for an examinee that each and every day he would see the site of the C.G. P.S.C. so as to search out the fact whether the examination has been declared or not. Therefore, the petitioner claims that she has been deprived the call for interview without any logic and reason. It is stated that the petitioner having qualified in written examination has right to be considered for post by appearance in interview; therefore, she may be given the chance to appear in the interview as she cannot be made to suffer for the default of the respondents.
3. Learned counsel for the respondents would submit that after the result was declared, the specific direction was given that the examinee should have regularly checked the website of the C.G. P.S.C. Therefore, the petitioner having not checked the site regularly cannot ask for call for interview.
4. Considering the short issue involved and the factual dispute in this case, the fact goes to show that the written examination were held on 21.05.2016 and the results were declared on 25.05.2017 which shows that it was after the gap of one year. Though the result when was declared as per Annexure P-3, which contains a clause that the examinee should examined the website regularly for date of interview, but when the time gap is seen between the written examination and declaration of the result, for all practical purpose, it is not expected that the examinee shall check the site every day so as to find out whether the result is declared or not ? Had there been a short period in between the written examination and declaration of result then it could have been held reasonable. When the result itself is declared after more than one year gap then if the

examinee missed the site for a day, he cannot be made scape goat and PSC cannot be allowed to pass the buck on her head. The factual aspect in this case would show that the declaration of the result after one year has a reasonable cause to miss the fact to know what was the date when the result were declared.

5. The petitioner since claimed to have qualified in the written examination for the Assistant Professor (Political Science) and if the entire seats were not filled up for the recruitment in the year 2017 then in such case the petitioner is entitled to get a call for interview for consideration of the appointment. Accordingly, it is ordered that C.G. P.S.C. shall call the petitioner for interview if she has qualified in the written examination for consideration of appointment to the post of Assistant Professor (Political Science). The C.G. P.S.C. shall intimate within 45 days to the petitioner the date of interview.
6. In view of the above, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Ashok