

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWA No. 387 of 2020

- Dr. Sudhir Kumar Jaiswal S/o Shri Shashi Bhushan Jaiswal, Aged About 33 Years R/o At Present C/o Ajay Chaturvedani, Plot No. 11, Vidyut Nagar, Durg, Tahsil And District Durg, Civil And Revenue District Durg Chhattisgarh

---- Petitioner

Versus

1. The Indra Gandhi Krishi Vishwavidyalaya Through Vice Cancellor Krishak Nagar , Raipur , District Raipur Chhattisgarh
2. The Registrar Indra Gandhi Krishi Vishwavidyalaya , Krishak Nagar , Raipur , District Raipur Chhattisgarh

---- Respondent

For Appellant
For Respondents

Mr. MK Sinha, Advocate
Mr. DN Prajapati, Advocate

Proceedings through Video Conferencing**DB: Hon'ble Mr. Justice Prashant Kumar Mishra &****Hon'ble Mr. Justice Gautam Chourdiya****Order On Board by Prashant Kumar Mishra, J.****27/10/2020**

1. Heard.
2. This writ appeal would call in question the order dated 27.8.2020 passed by the learned Single Judge dismissing the petitioner/appellant's writ petition (WPS No.2538 of 2020) seeking relief against rejection of his candidature for

recruitment to the post of Assistant Professor (Livestock Production and Management).

3. The challenge was thrown on the ground that the appellant's Post Graduate degree-Annexure P/2 clearly refers that Poultry Science is major subject and Livestock Production & Management is minor subject, therefore, the respondents should have treated the appellant to be having Post Graduate degree in Livestock Production & Management.
4. In the order-Annexure P/8 showing the reason for rejection of the appellant's candidature, it is mentioned that he is not eligible because PG and PHD degrees are not in Livestock Production and Management as the major subject.
5. Learned Single Judge has passed a reasoned order on the basis that once the recruiting Academic Institution have found that the Post Graduate degree of Livestock Production & Management produced by the appellant/petitioner vide Annexure P/2, does not satisfy the eligibility criteria as the said degree shows the subject of Livestock Production & Management as minor subject and not the major subject, the Court would not thrust a decision on such Academic Body to treat the petitioner's Post Graduate degree as having Livestock Production & Management as a major subject.
6. It is trite law that the Court should be slow to interfere with the decision taken by the Academic Bodies in the matter of satisfaction of eligibility criteria vis-a-vis qualification and the

Court should not inject its own decision mentioning a particular subject as the one in which the candidate has obtained certificate, when the certificate itself does not mention the subject as one of the major subjects.

7. Moreover, the appellant has also been disqualified as his PHD/NET is also not in Livestock Management & Production as the major subject. The appellant's NET certificate is available as Annexure P/4 in the writ petition. This certificate also mentions that he has cleared NET in the discipline of Poultry Science; there being no mention of Livestock Management & Production as major or minor subject.
8. Thus, it is abundantly clear that the appellant is not having NET qualification in the subject of Livestock Production & Management, which is a necessary qualification as mentioned in clause 2 of the Advertisement-Annexure P/5.
9. Having considered the rival submissions, we have not found that the learned Single Judge has erred in dismissing the writ petition.
10. The writ appeal has no substance, it fails and is accordingly dismissed.

Sd/-

(Prashant Kumar Mishra)
Judge

Sd/-

(Gautam Chourdiya)
Judge

