

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS NO. 885 OF 2021**

Mukesh Kumar Choudhary, S/o Shri Banshilal Choudhary, aged about 28 years,
R/o Village Kurmajhar, Post Nagarda, District Balodabazar (CG)

... Petitioner

versus

1. State of Chhattisgarh, through the Secretary, Department of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar P.O. and P. S. Rakhi, Nawa Raipur, District Raipur (CG)
2. Director, Directorate of Public Instructions, Raipur, District Raipur (CG)
3. Joint Director, Department of Higher Education, Mantralaya, Mahanadi Bhawan, Nawa Raipur, District Raipur (CG)

... Respondents

For Petitioner	:	Mr. Ishan Verma, Advocate.
For Respondents	:	Mr. Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/03/2021

1. Learned Counsel for Petitioner submits that the default pointed out by the Registry of this Court in the instant case has since been cured by filing a fresh affidavit.
2. With the consent of learned Counsels appearing for the respective parties, heard the matter finally at admission stage itself.
3. Learned Counsels appearing for either side submit that the issue involved in the instant case stands covered by a bunch of Writ Petitions disposed of by this Court on 1.3.2021, i.e., WPS No. 5157/2020 (Manoj Kumar Vs. State of Chhattisgarh & Others) and other connected matters.
4. It is case where the Petitioner was declared ineligible for participation in the recruitment process for the post of Teacher on the ground that the Petitioner had obtained the degree and diploma in the same academic session. On 1.3.2021, when the aforesaid bunch of Writ Petition was came up for hearing, learned Counsel for Petitioner had produced an order of the Directorate, Public Instructions, dated 5.2.2021, wherein the Directorate, Public Instructions has granted approval on a decision to permit the candidates who have done their degree and diploma in the same academic session and that those candidates who have done their degree and diploma in the same academic session would not be treated as ineligible for the said recruitment process.

5. Given the said development and on the basis of the bunch of Writ Petitions that was disposed of by this Court on 1.3.2021, i.e., WPS No. 5157/2020 (Manoj Kumar Vs. State of Chhattisgarh & Others) and other connected matters, the present case also being identical stands disposed of in similar terms to the extent that in the light of the decision of the Directorate of Public Instructions, dated 5.2.2021, the Petitioner shall not be treated as ineligible for the said recruitment process and he shall be considered for the said post in accordance to his own merits other than the said factor of having done the degree and diploma in the same academic session.

6. Writ Petition thus allowed and is disposed of accordingly.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE