

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 979 of 2021**

1. Bharti Baghel D/o Shri Lamxi Narayan Baghel, Aged About 24 Years R/o Village Kharkena, Post Salhe, District Janjgir - Champa Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary School Education Department Ministry, Mahanadi Bhawan, Post Office And Police Station Rakhi, Nawa Raipur, District Raipur Chhattisgarh.
2. Director Directorate Of Public Instruction Raipur, District Raipur Chhattisgarh.
3. Joint Director Bilaspur Division, Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Ishan Verma, Advocate.
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****08/03/2021**

1. 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.
2. 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 Petitions 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.

3. 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.
4. Allowing the writ petition is only to the extent of declaring of the petitioner ineligible on the ground of having obtained degree and diploma in the same academic session. This in-eligibility is no longer res-integra in the light of the policy decision taken by the State Government on 05.02.2020 and the order passed by this Court in a bunch of writ petition i.e. WP(S) No. 5157/2020 and other analogous petitions and also WP(S) No. 893/2020 decided on 03.03.2011.

5. However in case if the petitioner has been declared ineligible for any other reason, the judgment passed in this case would not be applied for in respect of the said ineligibility.
6. Writ Petition thus allowed and is disposed of accordingly.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha