

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1380 of 2021

Smt. Indu Dubey W/o Shri Gautam Prasad Dubey Aged About 42 Years R/o Ward No. 3, Brahman Mohalla, Village- Gahrinmuda, Tahsil- Shakti, District- Janjgeer-Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhavan, Raipur, Naya Raipur, District- Raipur, Chhattisgarh.
2. Director Directorate Of Public Instructions, 1st Floor, 3rd Block, Indrawati Bhawan, Hod Building, Naya Raipur, District- Raipur, Chhattisgarh.
3. Joint Director Bilaspur School Education Department, Tarbahar, Sheikh Gaffar Road, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Ishan Verma, Advocate under instructions of Mr. Prateek Sharma, Adv.
For State	:	Mr. Suyash Dhar, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16/09/2021

1. The grievance of the petitioner in the present writ petition is the decision on the part of the respondents whereby the petitioner has been held to be disqualified or ineligible for appointment to the post of Teacher (English) in (E) Cadre under the respondents. The disqualification or ineligibility of the petitioner was on the ground that TET certificate, which the petitioner has, has lost its validity as it was

only valid initially for a period of 7 years.

2. Learned counsel for the parties during the course of the hearing has brought before the notice of this Court the decision of the NCTE whereby the NCTE has ordered that all those TET certificates, that have been issued in the past with validity of 7 years, would henceforth have the validity for lifetime.
3. Pursuant to the decision of the NCTE, the Government of Chhattisgarh also has has taken a decision on 26.06.2021 holding for treating validity of all the TET certificates issued in the past treating it valid for life time.
4. In view of the aforesaid two decisions taken by the NCTE at the first instance on 09.06.2021 followed by the decision of the Govt. of Chhattisgarh on 26.06.2021, the decision of the respondents in treating the petitioner to be disqualified needs to be reconsidered as the ground on which she has been disqualified does not exist any further. Accordingly, the impugned order dated 21.01.2021 declaring the petitioner as ineligible deserves to be and is accordingly quashed.
5. During the course of hearing it has been reflected that the recruitment process has not been finalized. The process is still undergoing. In a few subjects the orders of appointment have been issue however for the remaining subjects, the orders of appointment is yet to be issued.
6. Given the said facts, the respondent authorities are directed to reconsider the case of the petitioner herein from the stage she was found disqualified and subject to her fulfilling other eligibility criteria. Let her claim for appointment be considered and appropriate orders be

issued at the earliest along with the subsequent list, which is yet to be published by the respondents.

7. With the aforesaid observations and directions, all the writ petitions stand allowed and disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved