

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1509 of 2020**

Devendra Chandan S/o Shri Madan Lal Chandan Aged About 29 Years
R/o Abhanpur, Raipur Tehsil And District Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary School Education Department Mantralaya, Mahanadi Bhawan, Naya Raipur, Atal Nagar, Raipur, Chhattisgarh
2. Director Directorate Of Public Instruction Mantralaya, Mahanadi Bhawan Naya Raipur, Atal Nagar, Raipur, Chhattisgarh
3. All India Council For Technical Education (Aicte) Through Its Chairman Department Of Higher Education, Ministry Of Human Resource Development, Government Of India Nelson Mandela Marg Vasant Kunj, New Delhi-110070, District : New Delhi, Delhi

---- Respondents

For Petitioner	:	Mr. Ghanshyam Kashyap Advocate
For State	:	Mr. Kapil Maini, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/03/2021**

1. The challenge in the present writ petition is to the declaring of the petitioner as ineligible for recruitment to the post of Lecturer(Physics).
2. The requirement under the advertisement for the said post was post graduation in any of the subjects in the subject group mentioned against the post applied for. The subject group in the instant case for the post of Lecturer(Physics) was post graduation or an equivalent post with B.Ed. In the subjects Physics/ Electronics/Applied Physics/ Nuclear Physics. The petitioner in the instant case has done M.Tech in Electronics & Communication. According to the claim of the petitioner he is post graduate in Electronics & Communication and Electronics being one of the subjects shown in the subject group against the post of Lecturer(Physics), petitioner becomes eligible for being considered for the said post and

declaring of the petitioner as ineligible only on the ground that petitioner has not done Msc. is bad according to the petitioner.

3. Both learned counsel for the petitioner as also learned State counsel submit that the issue involved in the instant case has been considered by this Court in WPS 479/2021 decided on 11.02.2021 wherein except for the subject group to which the petitioner therein had obtained for M.Tech course all the other facts are identical, therefore the present writ petition can be disposed of in terms of the order passed by this Court in WPS 479/2021.
4. Given the said facts, since this Court has the submissions by the counsel for the petitioner which has been accepted by the State counsel that instant case squarely covered by the decision rendered in WPS 479/2021, the present writ petition also stands disposed of in similar terms. Accordingly, the impugned order Annexure P-1 so far as petitioner being declared ineligible is concerned is set aside/quashed. Respondents are directed to consider the claim of the petitioner for being considered for the post of Lecturer(Physics) from the stage petitioner was declared ineligible and he be considered in accordance with the procedure for recruitment treating him to be eligible for participation in the recruitment process and he be subjected to further recruitment process which the respondents have initiated.
5. With the aforesaid observations, the present writ petition stands allowed and disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit