

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3512 of 2021**

Vikash Dhruw S/o Sushil Kumar Aged About 24 Years R/o Khapradih, Tehsil Bhatapara, District Baloda Bazar-Bhatapara Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Higher Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
2. Chhattisgarh Public Service Commission Through Its Secretary, Shankar Nagar Marg Raipur Chhattisgarh
3. Ushyant Kumar Aged About 40 Years
4. Umesh Kumar Netam Aged About 31 Years
5. Vivishan Sidar Aged About 28 Years
6. Nutan Kumar Bhuarya Aged About 31 Years
7. Kishor Kumar Kuthari Aged About 24 Years
8. Mohan Dhruw Aged About 28 Years
9. Satish Kumar Aged About 38 Years
10. Suresh Kumar Markam Aged About 40 Years
11. Ishwar Lal Aged About 34 Years

Respondents No. 3 to 11 are Through: Chhattisgarh Public Service Commission, Shankar Nagar Marg Raipur District Raipur Chhattisgarh

----**Respondents**

For Petitioner	:	Mr. Hemant Kesharwani, Advocate
For State	:	Ms. Sunita Jain, G.A.
For Respondent No.2	:	Mr. Anand Mohan Tiwari, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16/08/2021

1. Aggrieved by the decision of the respondents in declaring the petitioner disqualified, the present writ petition has been filed.
2. Counsel for the petitioner submits that perhaps in the declaration of results, the reason assigned for the petitioner being disqualified, is his absence, which is incorrect. However, during the course of hearing, it

has been also reflected in the instant case, the petitioner had obtained the Post Graduation qualification much after the extended last date of submission of the application.

3. The advertisement for filling up of the various posts of Assistant Professor was published on 23.01.2019 and by way of periodical extensions, the last extended date for submission of the application was 18.09.2020. Even by this time, the petitioner could not get his Post Graduation degree. The petitioner's result of Post Graduation in Economics was published only on 10.12.2020 i.e. much after the last date was over.
4. Given the aforesaid factual matrix of the case, admittedly in terms of the advertisement, the petitioner had to acquire the qualification by the last date of submission of the application form. The last date for submission of the form stood extended on a couple of occasions and finally it stood extended up till 18.09.2020. However, even till that extended period, the petitioner could not obtain the requisite qualification.
5. Under the afore-given factual matrix of the case itself, this Court is of the opinion that the petitioner at the outset itself was not eligible to participate in the recruitment process for not having the requisite qualification till the last date of submission of the application form. Only because the petitioner has been permitted to participate in the subsequent recruitment process by itself would not create a right in favour of the petitioner, unless there is a specific order of relaxation provided by the State Authorities or for that matter the Chhattisgarh Public Service Commission.

6. In view of the aforesaid facts and circumstances this Court is of the view that the writ petition sans merit and deserves to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved