

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3837 of 2021

Naveen Kumar Sao S/o Shri D.K. Sao Aged About 36 Years R/o A-1, River View Colony, Koni, Bilaspur, District Bilaspur, 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, Chhattisgarh Public Service Commission, Shankar Nagar Road, Raipur, District Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Shashank Thakur, Advocate.
For State	:	Mr. Amrito Das, Addl. AG
For Res. no.2	:	Mr. Anand Mohan Tiwari, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

27/07/2021

1. The grievance of the petitioner seems to be the manner in which the CGPSC has conducted the recruitment of filling up of the post of Assistant Professor, particularly on the subject of Assistant Professor (Information Technology).
2. During the course of the hearing, it has been revealed that recruitment process for the post of Assistant Professor(IT) has been concluded and out of 8 posts advertised only four candidates could clear the recruitment

process and have been found meritorious to be appointed and four posts are left unfilled or are still lying vacant. It is on account of this vacancies that has arisen, the petitioner has filed the present writ petition.

3. This Court is of the opinion that since the recruitment process itself at the first instance has been concluded, the respondents cannot at this juncture to be directed to revive the said recruitment process so far as unfilled post of Assistant Professor(IT), from among the candidates who have been found less meritorious while publishing the main results. The petitioner or for that matter the CGPSC will have to go in for a fresh recruitment process itself for filling up of the said post where the petitioner would again get the opportunity.
4. It is expected that when the recruitment process is next initiated the State authorities as also the CGPSC would keep in mind or evolve a mechanism in which only the eligible candidates would be permitted to participate in the examination which could save much time and money of the respondent State in the concluding of the recruitment process in a more smooth manner.
5. Of late, this Court has been witnessing that the people who do not have the minimum qualification prescribed under the advertisement or in terms of the Rules governing the field are being permitted to participate in the examination and such candidates are permitted to face the recruitment process right uptill the stage of document verification and interview. That it is at that juncture these candidates are told that they are disqualified or do not fulfill the requisite eligibility criteria for the recruitment process. That in case, if the respondent would have scrutinized the application of the candidates at the first instance when the forms are submitted, the candidates who do not have the requisite eligibility criteria can be declared

ineligible right away and they need not be permitted to participate in the further recruitment process. This Court hopes that respondent would take care of the observation made by this Court in the next recruitment process that would be initiated both by the State Government as also by the CGPSC.

6. With the aforesaid directions, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit