

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 4461 of 2021**

Minakshi Devi Arya D/o Shri Satruhan Prasad Pandey Aged About 40 Years  
R/o Shanti Nagar, Pali, District Korba Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
2. Director Directorate Of Chhattisgarh Public Instructions Indravati Bhawan, Raipur Chhattisgarh
3. Joint Director Education Division Bilaspur District Bilaspur Chhattisgarh

**----Respondents**


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|----------------|---|--------------------------------|
| For Petitioner | : | Mr. Ajay Shrivastava, Advocate |
| For State      | : | Ms. Sunita Jain, G.A.          |

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**Hon'ble Shri Justice P. Sam Koshy**  
**Order on Board**

**26/08/2021**

1. The limited relief that the petitioner has sought for in the present writ petition is for an appropriate direction to the respondents to consider a request for being subjected to documents' verification once again.
2. The facts of the case is that the petitioner in the present writ petition appeared for selection to the post of Teacher (English) in the T-Cadre. The petitioner was successful in the written examination and the interview and her name appeared in the provisional select list published on 17.01.2021 and the petitioner was called upon for verification of documents on 21.01.2021. Unfortunately the petitioner got tested positive of COVID-19 and the entire family was subjected to quarantine for a considerable long period of time. The petitioner was

found positive on 20.01.2021 i.e. one day before the date on which she was called for documents' verification. Hence, the petitioner could not appear on the date when the documents' verification was fixed. According to the petitioner, subsequently, she has made a correspondence with the respondents asking them for granting one more opportunity for the petitioner for documents' verification.

3. The State counsel on the other hand opposing the petition submitted that the document Annexure P/2 does not seem to have ever being sent to the Education Department and as per the instructions that she has, the petitioner has never tried to approach the authorities subsequent to recovery from the aforesaid illness. The State counsel submits that as a policy decision they have been accommodating people who have been found positive of COVID-19 upon their approaching the Department with sufficient proof, however there does not seem to be any such efforts made by the petitioner and therefore no relief could be granted to the petitioner.
4. During the course of the hearing on a query being put to the counsel for the petitioner, he has accepted the fact that the recruitment process is yet not finalized and no list as such has been published for Korba district where the petitioner had applied for. The State counsel's contention is that List-1 has been published for many other districts. The subsequent second list is yet to be published for other districts other than Korba.
5. Given the fact that the recruitment has not been finalized and the meritorious candidates are still being processed and the admitted factual matrix being that of the petitioner in the present writ petition

was found meritorious having successfully cleared the written examination and interview. The petitioner should not be denied or deprived of her right for being considered for the said recruitment process only for the unfortunate infliction of the COVID-19 virus and since the only procedure now left for the petitioner is for documents' verification, the respondents' authorities can very well call upon the petitioner for a document verification and on due scrutiny subject to her merit, the name of the petitioner can be suitably listed in the list that is yet to be published or in the subsequent list which would be published as the case may be. One should also appreciate the fact that for a considerable period of time in between it was Lock-down in the entire State of Chhattisgarh, that would have also prevented the petitioner from having availed or approached the authorities.

6. Given the said facts and circumstances of the case, the petitioner is directed to approach the respondents No.2 & 3 within a period of 7 days from today along with the copy of this order and the respondents No.2 & 3 in turn should take steps in ensuring that the petitioner is also subjected to documents' verification and if found suitable, the name of the petitioner be accommodated in the subsequent list that is to be published or the List-1 which is to be published for district Korba as the case may be.
7. With the aforesaid observations, the present writ petition stands allowed and disposed of.

Sd/-  
**(P. Sam Koshy)**  
**Judge**

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