

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5016 of 2021

Diwakar Prasad Pandey S/o Ramsarekh Pandey Aged About 33 Years R/o Kudekela, Tehsil Dharamjaigarh, Police Station Chhal District Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur District Raipur, Chhattisgarh
2. The Director Of Public Education Directorate Naya Raipur 1st Floor, Block-3 Indravati Bhavan Naya Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Akhilesh Kumar, Advocate
For State	:	Mr. Kunal Das, Panel Lawyer

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

20/09/2021

1. The challenge in the present writ petition is the decision of the respondents in declaring the petitioner to be ineligible for appointment to the post of Teacher. The ineligibility was on the ground that the petitioner has cleared the TET exam much after the results of the recruitment process of Teacher was published.
2. In the instant case the advertisement was issued on 09.03.2019. The last date for submission of the application was 25.04.2019. The petitioner finding himself eligible had applied for the same and the results were finally declared on 21.11.2019. The petitioner was thereafter called for documents verification, when it was found that in fact the petitioner had cleared the TET examination only on

27.12.2019. It would be relevant at this juncture to take note of the fact that clause 7 of the advertisement specifically provided that all essential qualifications and requisite eligibility criteria should be obtained by the candidate on or before the results of the recruitment process were published.

3. In the instant case the results of the recruitment process were published on 21.11.2019 and the petitioner has cleared the TET examination only thereafter on 27.12.2019. Thus, on the date when the results of the recruitment process was published on 21.11.2019, the petitioner was not qualified for applying for the said post and also the fact that on the date of result, the petitioner was not qualified in TET, which was one of the essential qualifications.
4. This Court in the recent past in identical set of facts has already declined to entertain many writ petitions of like nature, wherein those petitioners also had cleared the TET examination along with the petitioner on 27.12.2019, all those writ petitions were dismissed.
5. In view of the same the present writ petition also stands decided in similar terms and the writ petition accordingly stands rejected.

Sd/-
(P. Sam Koshy)
Judge