CGHC010387732026 2026:CGHC:43410

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7331 of 2026

1 - Rohit Kumar S/o Samaru Ram Aged About 36 Years R/o Village Mucchel, Post Barampur, Tehsil Lormi, District Mungeli Chhattisgarh

... Petitioner

AMARDEEP CHOUBEY
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versus

1 - State Of Chhattisgarh Through Secretary, Department Of Higher Education, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur Chhattisgarh

2 - Vice Chancellor Indira Gandhi Krishi Vishwavidyalaya, Krishak Nagar, Raipur, District Raipur Chhattisgarh

3 - Registrar Indira Gandhi Krishi Vishwavidyalaya, Raipur, District Raipur Chhattisgarh

... Respondents

(Cause title is taken from Case Information System)

For Petitioner	:	Mr. Ankur Diwan, Advocate
For State	:	Ms. Apurva Nigam, Panel Lawyer
For Respondent/University	:	Mr. Sharad Mishra, Advocate

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

07/10/2026

1. By the present petition, the petitioner has prayed for following reliefs:-

> "10.1 It is therefore prayed that, This Hon'ble Court may kindly pleased to call for the entire records pertaining to the case of the petitioner;
>
> 10.2 That, this Hon'ble Court may kindly pleased to issue appropriate writ by quashing and setting aside the final

score card Annexure P/1 and direct the Respondent No. 3 to issue fresh score card by considering the experience certificate dated 10.07.2024 in the interest of justice.

10.3 Any other relief/reliefs, which this Hon'ble Court may think fit and proper in the facts and circumstances of the case, may also please be granted to the petitioner."

2. Learned counsel for the petitioner submits that the petitioner is an aspirant for the post of Farm Manager (Genetics and Plant Breeding) pursuant to the advertisement dated 27.12.2024. The petitioner is questioning the score card (Annexure P-1), by which the marks awarded towards experience have been reduced from 7.763 out of 8 marks to 5.758. Learned counsel submits that initially the experience of the petitioner was considered and vide Annexure P-3, he obtained 7.763 marks out of 8 towards the experience gained by him. However, without affording any opportunity of hearing or considering the objection of the petitioner, the said marks towards experience have been reduced to 5.758 only on the ground that the petitioner gained experience on an honorarium basis and did not gain experience against a contractual or regular post. Hence, the reduction of marks in the score card is illegal, arbitrary and violative of the principles of natural justice. The petitioner has been deprived of selection to the post advertised by the University.

3. Learned counsel appearing for the respondents/University, by placing some documents on record, submits that the representation of the petitioner was rejected on 01.10.2026 after considering the details submitted by the University from where the experience certificate of the petitioner was issued. However, he

fairly submits that before taking a decision regarding the experience of the petitioner, the University did not afford any opportunity of hearing to the petitioner to raise his claim before the recruiting agency. Learned counsel further submits that the present petition filed by the petitioner is premature, as the selection process has not been completed till date and no final result has been declared

4. I have heard learned counsel for the parties and have perused the materials available on record.

5. Having considered the submissions advanced by learned counsel for the parties, it appears that the marks awarded to the petitioner towards his experience were initially evaluated at 7.763 out of 8 marks, which were subsequently reduced to 5.758 marks with the remark that the experience claimed by the petitioner had been gained on an honorarium basis and that he had not acquired such experience against a contractual or regular post.

6. Be that as it may, before taking a decision with regard to the marks awarded to the petitioner towards his experience and reducing the same for the reason recorded in the score card, the petitioner was not afforded any opportunity of hearing or an opportunity to submit his objection/claim in respect of the proposed reduction. Such action, having been taken without affording an opportunity to the petitioner, cannot be sustained on the touchstone of the principles of natural justice.

7. It is the well settled proposition of law that if there is a power to decide and decide detrimentally to the prejudice of a person, duty

to act judicially is implicit in exercise of such a power and that the rule of natural justice operates in areas not covered by any law validly made.

8. It is also the trite law that the adherence to principles of natural justice as recognized by all civilized states is of supreme importance or when a quasi judicial body embarks on determining dispute between the parties, or any administrative action involving civil consequences is an issue. Even an administrative order, which involves civil consequence must be consisted with the rules of natural justice.

9. Accordingly, the present writ petition is disposed of with a direction to the University to take a fresh decision with regard to the marks awarded to the petitioner towards his experience, after affording him an effective opportunity of hearing and permitting him to place all relevant materials in support of his claim. The petitioner is directed to submit a fresh representation before the competent authority within a period of seven days from today. Thereafter, the University shall consider and decide the said representation, after affording sufficient opportunity of hearing to the petitioner and after duly examining the documents/materials relied upon by him.

10. The aforesaid exercise shall be completed within a further period of twenty days from the date of receipt of such representation.

11. It is further directed that the decision pursuant to the aforesaid exercise shall be taken and complied with before issuance of the final select list for the post in question.

12. Accordingly, the present petition is disposed of.

13. It is made clear that this Court has not expressed any opinion on the merits of the present case.

SD/-

(BIBHU DATTA GURU)
JUDGE

Amardeep