CGHC010387802026 2026:CGHC:45270

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7693 of 2026

1 - Mamta Sahu D/o Shri Ishwar Lal Sahu Aged About 30 Years Occupation Clinical Psychologist, State Mental Health Sendri Bilaspur R/o -195, Main Road, Raipur Thakurdai, Square, Sakri, District Baloda Bazar Bhatapara, Chhattisgarh.

... Petitioner

versus

1 - State Of Chhattisgarh Through Secretary The Higher, Education Department Of Chhattisgarh, Mantralaya, Mahanadi Bhawan Indravati Bhawan Atal Nagar Nava Raipur Chhattisgarh.

2 - The Registrar Shaheed Mahendra Karma Vishwavidyalaya, Bastar Jagdalpur District Bastar Chhattisgarh.

3 - The Assistant Registrar, Shaheed, Mahandra Karma, Vishwavidyalaya Bastar Jagdalpur District Bastar Chhattisgarh.

4 - The Vice, Chancellor, Shaheed, Mahendra Karma, Vishwavidyalaya, Bastar Jagdalpur District Bastar Chhattisgarh.

... Respondents

For Petitioner	:	Mr. Shivendra Jaiswal, Advocate.
For State	:	Mr. Gary Mukhopadhyay, Addl. A.G.
For Respective Respondent	:	Mr. Neeraj Choubey, Advocate

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

27/10/2026

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

reliefs:-

> “10.1 That, this Hon'ble Court may kindly be pleased to call the entire records pertains to the petitioner's case.
>
> 10.2 That, this Hon'ble Court may kindly be pleased enough to direct respondent's that, petitioner's case be reconsidered regarding rejection of her candidature, re-examined her eligibility in accordance with existing rules and regulations of the university by constituting a special committee and the entire process will be done within any stipulated time period as Hon'ble Court thinks fit and proper.
>
> 10.3 That, this Hon'ble Court may kindly be pleased to grant any other relief/relief's in favour of the petitioner, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, including awarding of the costs to the petitioner.”

2. Learned counsel for the petitioner submits that the respondents/University issued advertisement for the post of Assistant Professor (Psychology), for which, the petitioner has applied for. The prescribed educational qualification was M.A. in Psychology. He submits that the petitioner, holds a degree of M.Sc. in Clinical Psychology, which, according to him, is an allied subject falling within the broader discipline of Psychology. However, the candidature of the petitioner has been rejected on the ground that he does not possess the prescribed qualification of M.A. in Psychology, which is improper and illegal.

3. Per contra, learned counsel for the respondents/University submits that the advertisement prescribed M.A. in Psychology as the requisite educational qualification for the post of Assistant Professor (Psychology), whereas the petitioner holds a degree of M.Sc. in Clinical Psychology. Referring to the representation submitted by the petitioner, learned counsel submits that the petitioner himself acknowledged that his qualification was in an allied subject of Psychology, whereas the advertisement specifically required a degree in Psychology. It is, therefore, contended that the petitioner does not possess the requisite qualification prescribed under the advertisement and that his candidature has rightly been rejected.

4. I have heard learned counsel for the parties, perused the pleadings and documents.

5. It is well settled principle of law that equivalence of educational degree is a complex academic and technical matter and courts cannot declare different qualifications of courses equivalent on their own, nor can they mandate that an employer accept degree as equivalent unless recruiting rules explicitly provide for it. In this regard, Hon'ble Supreme Court in the matter of **Zahoor Ahmad Rather & Others Vs. Sheikh Imtiyaz Ahmad & Others** reported in **(2019) 2 SCC 404** held in paragraph 26 as under :-

> “26. We are in respectful agreement with the interpretation which has been placed on the judgment

> in Jyoti K.K. in the subsequent decision in Anita'. The decision in Jyoti K.K. turned on the provisions of Rule 10(a)(ii). Absent such a rule, it would not be permissible to draw an inference that a higher qualification necessarily presupposes the acquisition of another, albeit lower, qualification. The prescription of qualifications for a post is a matter of recruitment policy. The State as the employer is entitled to prescribe the qualifications as a condition of eligibility. It is no part of the role or function of judicial review to expand upon the ambit of the prescribed qualifications. Similarly, equivalence of a qualification is not a matter which can be determined in exercise of the power of judicial review. Whether a particular qualification should or should not be regarded as equivalent is a matter for the State, as the recruiting authority, to determine. The decision in Jyoti K.K.5 turned on a specific statutory rule under which the holding of a higher qualification could presuppose the acquisition of a lower qualification. The absence of such a rule in the present case makes a crucial difference to the ultimate outcome. In this view of the matter, the Division Bench' of the High Court was justified in reversing the judgment of the learned Single Judge and in coming to the conclusion that the appellants did not meet the prescribed qualifications. We find no error in the decision of the Division Bench."

6. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the advertisement, the qualification prescribed therein, and the degree held by the petitioner, it appears that the advertisement specifically

prescribed M.A. in Psychology as the requisite educational qualification for the post of Assistant Professor (Psychology). The petitioner, admittedly, holds a degree of M.Sc. in Clinical Psychology and claims that the same is an allied subject falling within the broader discipline of Psychology. However, the fact that Clinical Psychology is an allied subject of Psychology does not, by itself, entitle the petitioner to claim eligibility for the post in question when the advertisement specifically prescribes M.A. in Psychology as the requisite qualification. The petitioner has failed to establish that his qualification fulfills the specific eligibility criteria prescribed under the advertisement. In such circumstances, the rejection of the petitioner's candidature by the respondents/University cannot be said to be illegal or arbitrary.

7. In view of the aforesaid discussion, the writ petition fails and is hereby **dismissed**.

SD/-

(Bibhu Datta Guru)
Judge

Amardeep