



2026:CGHC:3278



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HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 612 of 2026**

Nidesh Puri S/o Shri Devi Sharan Puri Aged About 36 Years R/o Village Jamtikra, Post Rajouli, Tehsil Sonhat, Distt. Korea, Chhattisgarh.

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And P.S. Naya Raipur, Distt. Raipur, Chhattisgarh.

2 - Director Directorate Of Public Instructions, Indrawati Bhawan, Naya Raipur, Atal Nagar, Post Office And P.S. Naya Raipur, Distt. Raipur, Chhattisgarh.

3 - Joint Director Public Instructions Indrawati Bhawan, Naya Raipur, Atal Nagar, Post Office And P.S. Naya Raipur, Distt. Raipur, Chhattisgarh.

4 - Deputy Director Public Instructions Indravati Bhawan, Naya Raipur, Atal Nagar Post Office And P.S. Naya Raipur, Distt. Raipur, Chhattisgarh.

5 - Atal Bihari Vajpai Vishwavidyalaya Through Its Vice Chancellor, Distt. Bilaspur, Chhattisgarh.



6 - Mats University Through Its Vice Chancellor, Aarng Kharora Highway, Aarang Raipur, Distt. Raipur, Chhattisgarh.

7 - University Grants Commission Through The Registrar, Bahadurshah Jafar Marg, New Delhi 110002.

... Respondent(s)

For Petitioner	: Mr. Ajay Kumrani, Advocate
For Resp. No. 1 to 4	: Ms. Akanksha Verma Dabhadker, Panel Lawyer
For Resp. No.5	: Mr. Vikram Sharma, Advocate
For Resp. No.7	: Mr. J.N. Nande, Advocate

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

20/01/2026

1. Learned counsel for the petitioner submits that case of petitioner is squarely covered by the decision of this Court passed in WPS No. 7163 of 2022 (*Jitendra Kumar Vs. State of Chhattisgarh & Ors.*) and other connects matters, decided on 26.11.2025.
2. Submission of learned counsel for the petitioner is not opposed by learned counsel for respective respondents.
3. With the consent of learned counsel appearing for the parties, this case is heard finally.
4. Petitioner has filed this writ petition seeking following reliefs :

“10.1 That, this Hon'ble Court may be pleased to call for the entire records of the case for its kind perusal.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ/order/direction and quash/set aside the Impugned order dated 18.08.2022 (Annexure P/1) and order dated 23.11.2020 (Annexure P/2).



10.3 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ/order/direction and direct the respondent State to consider the candidature of petitioner for appointment on the post of Lecturer Mathematics (E & T cadre) on the basis of educational certificates as per the UGC guidelines.

10.4 That, the Hon'ble Court may kindly be pleased to grant any other writ/writs, order/ orders, relief/ reliefs 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.”

5. Learned counsel for the petitioner submits that respondent School Education Department issued an advertisement for recruitment on the post of Lecturers (Maths) of E-cadre and T-cadre. Pursuant to advertisement, petitioner also submitted an application for his appointment. He contended that at the stage of document verification, petitioner has been disqualified on the ground that the Master Degree and B.Ed. Certificate are of the same academic year. He contended that petitioner has undergone B.Ed. Course as a regular student, however, he participated in examination of M.Sc. (Maths) through distance learning programme. Identical issue has been considered by the Coordinate Bench of this Court in the aforementioned bunch of writ petitions. Those writ petitions were allowed and direction was issued to respondents authority therein to consider cases of all the petitioners therein for appointment to respective posts of Lecturer afresh strictly in accordance with terms of recruitment, UGC guidelines and other applicable statutory provisions. Learned counsel for the petitioner submits that according to his instructions, authority has constituted a



Committee for considering candidatures of those petitioners and therefore this writ petition may be disposed of in the light of aforementioned decision.

6. Learned counsel for respective respondents submit that as the issue has already been considered and decided by Coordinate Bench of this Court in the aforementioned bunch of writ petitions, they are not in a position to make any objection to prayer made by learned counsel for the petitioner.
7. Coordinate Bench of this Court in WPS No. 7163 of 2022 (*Jitendra Kumar Vs. State of Chhattisgarh & Ors.*) and other connected matters has considered the fact of those cases and observed as under:

“2. All the petitioners in these connected writ petitions challenge various rejection orders issued by the Director/Deputy Director/Joint Director, Directorate of Public Instruction, whereby their candidatures for appointment to the posts of Lecturer in different subjects, such as Mathematics, English, Physics, Chemistry, Commerce and E&T Cadre, have been rejected on the singular ground that they obtained two degrees simultaneously in the same academic year, typically a combination of B.Ed. in regular mode and a postgraduate degree (M.A./M.Sc./M.Com.) in open or distance mode. In each case, despite the petitioners having successfully cleared the written examination and having been called for document verification, their names were excluded from the provisional selection lists or were shown as ineligible in the lists of disqualified candidates. The rejection orders uniformly rely on the reasoning that "two degrees cannot be pursued in one academic session," even though the University Grants Commission, through its notification



dated 28.12.2012 and the 2022 Guidelines titled "Guidelines for Pursuing Two Academic Programmes Simultaneously," expressly permits students to pursue one regular degree along with one additional degree through open/distance mode, whether from the same or a different university. The petitioners assert that they acquired their qualifications strictly in accordance with UGC norms and other regulatory guidelines, and further point out that similarly situated candidates in the Panchayat & Rural Development Department have been granted appointments despite holding simultaneous dual degrees, making the rejection of their candidature discriminatory and arbitrary. They also submit that representations filed pursuant to earlier directions of this Court have been dismissed mechanically by the authorities without appreciating the UGC guidelines or the fact that no such disqualification exists under Clause 9 of the Chhattisgarh School Education Services (Educational and Administrative Cadre) Recruitment Rules, 2019. Aggrieved by the repeated rejection of their representations and denial of appointment solely on the erroneous ground of simultaneous acquisition of degrees, the petitioners have approached this Court seeking quashment of the impugned orders and a direction to consider their candidature for appointment in accordance with law.

8. After taking note of decision of Hon'ble Supreme Court in case of **Tej Prakash Pathak Vs. High Court of Rajasthan** (2025) 2 SCC 1, has allowed the writ petitions observing as under :

“13. Hon'ble Supreme Court in the matter of **Tej Prakash Pathak vs. High Court of Rajasthan**, reported in **(2025) 2 SCC 1** has held as under:



"14. In various judicial pronouncements, the law governing recruitment to public services has been colloquially termed as "the rules of the game". The "game" is the process of selection and appointment. Courts have consistently frowned upon tinkering with the rules of the game once the recruitment process commences. This has crystallised into an oft-quoted legal phrase that "the rules of the game must not be changed midway, or after the game has been played". Broadly speaking these rules fall in two categories. One which prescribes the eligibility criteria (i.e. essential qualifications) of the candidates seeking employment; and the other which stipulates the method and manner of making the selection from amongst the eligible candidates.

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16. The law is settled that after commencement of the recruitment process the eligibility criteria is not to be altered because candidates even if eligible under the altered criteria might not apply by the last date under the belief that they are not eligible as per the advertised criteria. [Mohd. Sohrab Khan v. Aligarh Muslim University, (2009) 4 SCC 555 (2009) 1 SCC (L&S) 917] Such alteration/change, therefore, deprives a person of the guarantee of equal opportunity in matters of public employment provided by Article 16 of the Constitution. The reference order [Tej Prakash Pathak v. High Court of Rajasthan, (2013) 4 SCC 540 (2013) 2 SCC (L&S) 353] therefore acknowledges this legal position and in clear terms accepts that "the rules of the game cannot be changed after commencement of the recruitment process insofar as the eligibility criteria is concerned."

14. On a careful examination of the records, pleadings, and submissions made by the parties, as also the pronouncement of Hon'ble Supreme Court, this Court finds that the rejection of the candidatures of the petitioners solely on the ground that they possessed two degrees in the same academic year is arbitrary, legally unsustainable, and contrary to the



principles of natural justice. The recruitment advertisements, including the one dated 09.03.2019, clearly prescribe the requisite educational qualifications for the posts of Lecturer, namely a postgraduate degree in the relevant subject and a Bachelor of Education degree. Nowhere in the advertisement is it expressly stipulated that a candidate would be disqualified merely because the two degrees were obtained in the same academic year. The respondents cannot, therefore, introduce a disqualification that was never contemplated at the time of issuing the advertisement, as doing so would amount to altering the eligibility criteria post hoc, which is impermissible under settled legal principles.

15. Further, the petitioners have pursued one degree in regular mode and the other in distance, open, or online mode, in compliance with the guidelines issued by the University Grants Commission (UGC), including the 2012 notification and the 2022 Guidelines for Pursuing Two Academic Programmes Simultaneously. The UGC guidelines explicitly permit a student to pursue one programme in regular mode concurrently with another programme in distance or online mode. There is no statutory or regulatory bar in such cases. The respondents' reliance on Ordinance 6 of the Chhattisgarh Universities Act, 1973, and on certain public notices issued by UGC in 2016, cannot override the express terms of the recruitment advertisement or the applicable UGC guidelines. The Court is, therefore, of the considered view that the petitioners were wrongly disqualified on a ground that is neither reflected in the advertisement nor consistent with the UGC norms.



16. In view of the foregoing discussion, it is held that the impugned rejection orders in all the connected writ petitions are liable to be quashed.

17. The respondents are directed to consider the cases of all petitioners for appointment to the respective posts of Lecturer afresh, strictly in accordance with the terms of the recruitment advertisement, the UGC guidelines, and other applicable statutory provisions. The respondents shall complete this process of fresh consideration and pass appropriate orders within sixty (60) days from the date of receipt of a copy of this judgment.

18. It is clarified that while considering the petitioners' candidatures, no new disqualification other than those explicitly provided in the advertisement shall be imposed, and due regard shall be given to the fact that the petitioners pursued one degree in regular mode and another in distance/ODL/online mode in conformity with recognized academic norms.

19. The writ petitions are allowed to the above extent.”

9. Case of petitioner is also that petitioner's candidature was rejected at the time of verification of documents on the ground that petitioner pursued two courses i.e. PG degree and B.Ed. in one academic year, without considering that for PG course and examination thereof, petitioner appeared through online mode i.e. distance learning programme. Therefore in the opinion of this Court, case of petitioner is also squarely covered by the decision of Coordinate Bench in WPS No. 7163 of 2022 (*Jitendra Kumar Vs. State of Chhattisgarh & Ors.*).



10. Accordingly, this writ petition is also allowed in terms of order passed by this Court in WPS No. 7163 of 2022 (*Jitendra Kumar Vs. State of Chhattisgarh & Ors.*).

Sd/-

(Parth Prateem Sahu)

Judge

Praveen