



2026:CGHC:17961-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 296 of 2026**

Kanan Verma Aged About 38 Years, Roll No. 2401100758, Through The Secretary, Cg Public Service Commission, North Block, Sector 19, Nava Raipur, Atal Nagar, Chhattisgarh. As Mentioned In Impugned Order, Kanan Verma S/o Jivanlal Verma Aged About 38 Years, R/o Chhota Bhawani Nagar, Near Vivekanand Vidhyapith, Tehsil Kota, Distt. Raipur, Chhattisgarh.

--- Appellant**versus**

- 1** - State of Chhattisgarh Through Chief Secretary, Mahanadi Bhawan, Atal Nagar Nava Raipur, Chhattisgarh.
- 2** - The Secretary Department Of Commerce And Industries, Mahanadi Bhawan, Atal Nagar Nava Raipur Chhattisgarh For Chhattisgarh Government.
- 3** - The Secretary General Administrative Department Government of Chhattisgarh, Mahanadi Bhawan, Atal Nagar Nava Raipur Chhattisgarh For Chhattisgarh Government.
- 4** - The Chairman Chhattisgarh Public Service Commission, North Block, Sector 19 Nava Raipur, Atal Nagar Chhattisgarh.
- 5** - The Secretary Chhattisgarh Public Service Commission, North Block, Sector 19 Nava Raipur, Atal Nagar, Chhattisgarh.
- 6** - Exam Controller Chhattisgarh Public Service Commission, North Block, Sector 19 Nava Raipur, Atal Nagar, Chhattisgarh.
- 7** - Saket Agrawal S/o Santosh Kumar Agrawal Aged About 34 Years R/o Street 3a, Sindhya Nagar, Near Mohan Mishthan Bhandar, Durg, Distt. Durg, Chhattisgarh.

--- Respondents**WA No. 343 of 2026**

- 1** - The Chairman Chhattisgarh Public Service Commission North Block- Sector -19 Nava Raipur Atal Nagar Chhattisgarh,
- 2** - The Secretary Chhattisgarh Public Service Commission North Block Sector -19 Nava Raipur Atal Nagar Chhattisgarh
- 3** - Exam Controller Chhattisgarh Public Service Commission North Block Sector 19 Nava Raipur Atal Nagar Chhattisgarh

---Appellants

**Versus**

- 1** - State of Chhattisgarh Through Chief Secretary Mahanadi Bhawan Atal Nagar Nava Raipur Chhattisgarh
- 2** - The Secretary Department of Commerce and Industries Mahanadi Bhawan Atal Nagar Nava Raipur Chhattisgarh for Chhattisgarh Government
- 3** - The Secretary General Administrative Department Government of Chhattisgarh Mahanadi Bhawan Atal Nagar Nava Raipur Chhattisgarh For Chhattisgarh Government
- 4** - Kanan Verma Roll No 2401100758, Through the Secretary CG Public Service Commission North Block- Setor - 19 Nava Raipur Atal Nagar (C.G.)
- 5** - Saket Agrawal S/o Santosh Kumar Agrawal Aged About 34 Years R/o Street 3A Sindhya Nagar Near Mohan Mishthan Bhandar Durg District- Durg Chhattisgarh

--- Respondents

For Appellant in WA No. 296/2026 and for respondent No.4 in WA 343/2026 : Mr. Manoj Paranjpe, Senior Advocate assisted by Mr. Aditya Dhar Diwan, Advocate

For Respondents/ State in both appeals : Mr. Praveen Das, Addl. Advocate General

For Appellants /PSC in WA No. 296/2026 and for respondents/ PSC in WA 343/2026 : Mr. Anand Mohan Tiwari and Dr. Sudeep Agrawal, Advocates

Respondent No.7/ in WA No. 296/2026 and for respondent/ No. 5 in WA 343/2026 : Mr. Rajeev Shrivastava, Senior Advocate assisted by Mr. Hemant Agrawal, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Judgment on Board

Per Ramesh Sinha, C.J.

20.04.2026

1. Since both these above captioned appeals arise out of common



impugned order dated 17.02.2026 passed by the learned Single Judge in ***WPS No. 6748 of 2025 (Saket Agrawal Vs. State of Chhattisgarh & Others)***, they are clubbed and heard together and are being disposed of by this common order taking ***WA No. 296 of 2026 (Kanan Verma Vs. State of Chhattisgarh & Ors.)*** as lead case.

2. **WA No. 296 of 2026** has been filed by appellant, who was respondent No.7 in the WPS No. 6748 of 2025 filed by the writ petitioner / respondent No.7 herein being aggrieved by the impugned order dated 17.02.2026 passed by the learned Single Judge, whereby the learned Single Judge has allowed the writ petition and set aside the selection of respondent No.7 therein as Boiler Inspector pursuant to advertisement, Annexure P/2 holding him as ineligible to participate in selection process / recruitment process being overage and directed the PSC / respondents therein to issue fresh select list of candidates based on proceeding concluded pursuant to advertisement dated 23.10.2024 Annexure P-2, wherein the writ petitioner is shown as wait list candidate at Sr. No.1, expeditiously within a period of one month from the date of receipt of the impugned order. In **WA No. 343 of 2026**, the very same impugned order has been challenged by the appellants / PSC, who were respondent Nos. 4 to 6 in the said writ petition.
3. Brief facts, necessary for disposal of both these appeals, are that pursuant to advertisement dated 23.10.2024 issued by the Public



Service Commission (PSC) inviting applications for appointment on the post of 'Boiler Inspector', the respondent No.7 (Saket Agrawal) as well as appellant (Kanan Verma) submitted their application to the said post. They both participated in selection process as unreserved category candidates. After completion of selection process, appellant (Kanan Verma) was selected for appointment to the post of Boiler Inspector and the respondent No.7 (Saket Agrawal) has been shown to be at Sr. No.1 in wait list.

4. Challenging the selection of appellant (Kanan Verma), respondent No.7 / writ petitioner (Saket Agrawal) has filed a writ petition before this Court being WPS No. 6748 / 2025, which was allowed by the learned Single Judge vide impugned order dated 17.02.2026 setting aside the selection of respondent No.7 therein (Kanan Verma) as Boiler Inspector pursuant to advertisement, Annexure P/2 holding him as ineligible to participate in selection process / recruitment process being overage and directed the PSC / respondents therein to issue fresh select list of candidates based on proceeding concluded pursuant to advertisement dated 23.10.2024 Annexure P-2, wherein the writ petitioner is shown as wait list candidate at Sr. No.1, expeditiously within a period of one month from the date of receipt of the impugned order. Being aggrieved by the same, **WA No. 296 of 2026** has been preferred by appellant / respondent No.7 therein, whereas **WA No. 343 of 2026**, has been preferred by the appellants / PSC, who were



respondent Nos. 4 to 6 in the said writ petition.

5. Mr. Manoj Paranjpe, learned Senior Advocate appearing for the appellant would submit that the impugned order passed by the learned Single Judge holding the appellant ineligible and setting aside his selection is wholly illegal, erroneous and contrary to the terms of the advertisement. It is contended that as per Clause 4 of the advertisement dated 23.10.2024, the maximum age limit for unreserved category candidates domiciled in the State of Chhattisgarh is extendable up to 40 years by granting relaxation of 5 years in view of the prevailing situation of educated unemployment in the State. The said relaxation flows not only from the express stipulation in the advertisement but is also supported by the Government circular dated 18.01.2024, which has been incorporated in the advertisement itself. It is further argued that reliance placed by the writ petitioner on any subsequent communication, including letter dated 03.08.2024, is misplaced as the same does not form part of the advertisement and the selection process is strictly governed by the terms of the advertisement alone.
6. It is further submitted by Mr. Paranjpe that the appellant fulfills all eligibility conditions and has participated in the selection process, securing highest marks in the written examination as well as the interview, and was rightly selected by the Commission vide result dated 06.06.2025. The allegation that the appellant was employed with NMDC Steel Limited is vehemently denied and is



stated to be vague and unsubstantiated. Learned Senior Advocate submits that the appellant was merely engaged in freelance consultancy work on assignment basis to earn his livelihood, which cannot be equated with regular or salaried employment. Such engagement does not disentitle the appellant from being treated as an “educated unemployed youth,” particularly when he does not hold any permanent post or assured source of income. It is also pointed out that the appellant had clearly disclosed in his application form that he was not an employee of any State Government Department, Board, or Corporation, and therefore squarely falls within the category eligible for age relaxation. Placing reliance on the decisions of the Hon’ble Supreme Court in **Ankita Thakur vs. HPSSC**, reported in **2023 Livelaw SC 991** and **Bedanga Talukdar vs. Saifudaullah Khan and Ors.**, reported in **2011 (11) SCALE 293**, it is contended by learned Senior Advocate that where the advertisement itself provides for relaxation, the same must be given full effect and cannot be curtailed by a narrow interpretation. It is argued that the learned Single Judge has misdirected himself by relying on extraneous considerations such as income assessment and has failed to appreciate the true import of Clause 4 of the advertisement, as such, the findings recorded in paragraphs 19, 21, 22 and 23 of the impugned order are thus perverse and unsustainable in law, having ignored the specific grounds raised and the material placed on record,



thereby vitiating the impugned judgment, which deserves to be set aside.

7. Per contra, Mr. Rajeev Shrivastava, learned Senior Advocate, appearing for respondent No.7 (writ petitioner) would support the impugned judgment and submit that the learned Single Judge has rightly held the appellant to be ineligible, as he did not satisfy the essential eligibility criteria prescribed under the advertisement. It is contended that admittedly the appellant was above the maximum prescribed age limit on the cut-off date, and the benefit of age relaxation claimed by him has been wrongly extended. Clause 4(ii) of the advertisement clearly provides age relaxation to candidates employed in departments, boards or corporations of the State of Chhattisgarh, whereas the appellant was not employed in any such institution. Therefore, the action of the Public Service Commission in granting relaxation under the said clause was ex facie illegal and contrary to the governing rules. It is further submitted that the appellant's alternative claim of being an "educated unemployed youth" is equally misconceived and devoid of merit. Inviting attention to the application form submitted by the appellant, learned Senior Advocate submits that the appellant himself disclosed that he was working as Executive-A in a Power Plant Operation Department up to the date of submission of the application. This is further corroborated by documentary evidence including income tax records, which clearly demonstrate that the appellant



was earning substantial income. In such circumstances, the appellant cannot, by any stretch of imagination, be categorized as an unemployed youth so as to claim the benefit of age relaxation under Clause 4 of the advertisement. Learned Senior Advocate would further submit that the terms and conditions of the advertisement are binding on all candidates and must be strictly adhered to, and any deviation would be violative of Articles 14 and 16 of the Constitution of India. It is argued that the learned Single Judge has correctly appreciated the factual and legal aspects of the matter and has rightly set aside the illegal selection of the appellant. No interference is warranted in appellate jurisdiction, as the impugned judgment is well-reasoned, based on cogent evidence, and in consonance with settled principles of law.

8. Learned counsel appearing for the Public Service Commission would submit that the Commission has acted bona fide and strictly on the basis of the information furnished by the appellant in his application form. It is contended that at the time of scrutiny of applications, the appellant had disclosed his engagement with an organization, and on that basis, the benefit of age relaxation was extended to him under Clause 4(ii) of the advertisement. There was no intention on the part of the Commission to confer any undue advantage, and the decision was taken in good faith during the selection process. It is further submitted that even assuming, without admitting, that the benefit under Clause 4(ii)



was not strictly applicable, the appellant was otherwise entitled to age relaxation under Clause 4 of the advertisement as an educated unemployed youth domiciled in the State of Chhattisgarh. The advertisement itself provides for relaxation up to 40 years in such cases, and therefore, the eligibility of the appellant was considered within the permissible framework. The Commission also relied upon the decision taken in its internal deliberations, wherein the appellant's case was examined and age relaxation was extended following due process. Learned counsel would finally submit that the Commission, being a constitutional recruiting body, has conducted the selection process fairly and transparently, and the appellant was selected on merit after securing highest marks.

9. We have heard learned counsel for the parties and perused the impugned order and other documents appended with the writ petition as well as in writ appeal.
10. It is not in dispute that the appellant was above the prescribed maximum age limit on the cut-off date as stipulated in the advertisement. The primary question, therefore, is whether the appellant was entitled to claim age relaxation under any of the clauses of the advertisement.
11. So far as reliance placed on Clause 4(ii) is concerned, the same is clearly inapplicable, as the said provision confines the benefit of age relaxation only to those candidates who are employed in



departments, corporations or boards of the State of Chhattisgarh.

Admittedly, the appellant does not fall within the said category.

The extension of such benefit by the Public Service Commission was thus dehors the terms of the advertisement and contrary to the statutory rules governing the recruitment.

12. The alternative submission of the appellant that he is entitled to age relaxation as an “educated unemployed youth” under Clause 4 also does not merit acceptance. The material on record, particularly the disclosures made in the application form and the income details, clearly establish that the appellant was engaged in gainful professional activity and earning substantial income. The expression “unemployed youth” cannot be interpreted in a manner so as to include a person who is admittedly earning and engaged in continuous work, merely because such engagement is not permanent in nature.
13. It is well settled that the terms and conditions of an advertisement constitute the foundation of a recruitment process and must be strictly adhered to. The Hon’ble Supreme Court in ***Bedanga Talukdar*** (supra) has categorically held that there can be no relaxation of eligibility conditions unless such power is specifically provided either in the statutory rules or in the advertisement itself. Similarly, in ***Ankita Thakur*** (supra), the Apex Court reiterated that eligibility criteria cannot be relaxed in absence of an express provision and any such relaxation must be transparent and uniformly applicable.



14. In the present case, the appellant does not satisfy the eligibility criteria under any permissible clause of the advertisement. The relaxation granted to him was clearly impermissible and resulted in an illegal selection. The learned Single Judge has, therefore, rightly interfered with the selection process and set aside the appointment of the appellant.
15. In view of the settled legal position and the factual matrix of the case, no ground is made out for interference in appellate jurisdiction. The findings recorded by the learned Single Judge are well-reasoned, based on proper appreciation of evidence, and in consonance with the law laid down by the Hon'ble Supreme Court.
16. Accordingly, the appeal fails and is hereby **dismissed**. The impugned judgment passed by the learned Single Judge is affirmed. No order as to costs.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice