



2026:CGHC:19921



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2098 of 2026

1 - Payal D/o Hemkumar Aged About 23 Years R/o Village Ranka, Post Ranka, District- Bemetara (C.G.).

... Petitioner(s)

versus

1 - Chhattisgarh Vyavasayik Pariksha Mandal (Cgvyapam) Through Controller , V Y A P A M Bhawan, North Block, Sector- 19, Atal Nagar, Nawa Raipur, District- Raipur (C.G.)

... Respondent(s)

For Petitioner(s)	:	Mr. Hardik Jaiswal, Advocate on behalf of Mr. Veer Verma, Advocate.
For Respondent(s)	:	Mr. Animesh Tiwari, Advocate.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

29/04/2026

1. By way of this petition, the petitioner has prayed for following reliefs:-

"10.1 That, this Hon'ble Court may kindly be pleased to issue a writ in the nature of Mandamus directing the



Respondent to consider the representation of the Petitioner and correct her category from OBC (Creamy Layer) to OBC (Non-Creamy Layer) in the records of TET-2026.

10.2 That, this Hon'ble Court may kindly be pleased to direct the Respondent to issue a fresh/revised Eligibility Certificate for TET-2026 in favor of the Petitioner declaring her "ELIGIBLE" based on her actual category OBC (Non Creamy Layer) and marks obtained.

10.3 That, any appropriate writ, direction or order may also kindly be passed in favour of the petitioner, which this Hon'ble Court deems fit in the circumstances of the case."

2. Brief facts of the case, is that, the respondent, Chhattisgarh Vyavasayik Pariksha Mandal, Raipur, issued a notification for the Teacher Eligibility Test, 2026 (TET-2026) inviting online applications, wherein the total marks were 150 and candidates belonging to the Other Backward Class (Non-Creamy Layer) were required to secure at least 50% marks to qualify; that the petitioner belongs to the OBC (Non-Creamy Layer) category and holds a valid Permanent Social Status Certificate issued by the competent authority (Annexure P/1); that while submitting the online application form, due to a bona fide and inadvertent error, the petitioner mistakenly selected her category as OBC Creamy Layer instead of OBC Non-Creamy Layer; that the petitioner appeared in the examination and secured more than 50% marks,



i.e., 80 out of 150, however, she was declared “Not Eligible” on account of being treated as an OBC Creamy Layer candidate. That upon learning of the error, the petitioner submitted a representation dated 24.03.2026 seeking correction of her category status, but no action has been taken by the respondent authorities, thereby compelling the petitioner to approach this Hon’ble Court.

3. Learned counsel for the petitioner submits that the error committed by the petitioner in selecting the incorrect category in the online application form is purely a bona fide and inadvertent clerical mistake without any mala fide intention to gain undue advantage, particularly when the petitioner possesses a valid certificate establishing her status as OBC (Non-Creamy Layer). It is further submitted that the Chhattisgarh Teacher Eligibility Test is merely an eligibility examination and not a competitive recruitment process, and therefore, correction of such an error would not prejudice the rights of any other candidate. It is contended that the petitioner has secured 80 marks, which is well above the qualifying threshold prescribed for OBC (Non-Creamy Layer) candidates, and denial of eligibility solely on account of a technical mistake is arbitrary and violative of Articles 14 and 16 of the Constitution of India; reliance is placed on the judgment of this Hon’ble Court in WPC No. 5679/2024 (*Kavita Rathore vs. CG Vyapam*), decided on 18.11.2024, wherein it has been held that minor rectifications in application forms in eligibility examinations



ought to be permitted to safeguard the future prospects of candidates; it is further submitted that the inaction of the respondent authorities in not considering the petitioner's representation dated 24.03.2026 is arbitrary, unreasonable, and contrary to the principles of natural justice, and therefore, the petitioner is entitled to appropriate relief from this Hon'ble Court.

4. On the other hand, learned counsel appearing for the respondent submits that the issue involved in the present petition is no longer res integra and has already been conclusively adjudicated by a Division Bench of this Court in Writ Appeal No. 770/2024, wherein the order passed by the learned Single Judge in WPC No. 4874/2024 (Dharmendra Kumar vs. Chhattisgarh Vyavasayik Pariksha Mandal & Others) was upheld; it is contended that in the said case, the learned Single Judge had dismissed the writ petition raising a similar issue, and the Division Bench, upon consideration of the matter, affirmed the said judgment, thereby settling the legal position, and as such, the present petition, being squarely covered by the aforesaid binding precedent, does not warrant any interference by this Court.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Having heard learned counsel for the parties and upon perusal of the material available on record, it emerges that the petitioner has sought correction of her category from OBC (Creamy Layer) to OBC (Non-Creamy Layer) in respect of TET-2026 on the ground



that the incorrect selection in the online application form was a bona fide mistake, and further seeks issuance of a revised eligibility certificate declaring her eligible; however, it is not in dispute that the petitioner herself had filled in the online application form and had opted for the category as OBC (Creamy Layer), on the basis of which her candidature was processed by the respondent authorities.

7. The core issue involved in the present petition, namely, whether such post-submission correction of category can be permitted after declaration of results, has already been considered and conclusively adjudicated by a Division Bench of this Court in Writ Appeal No. 770/2024, wherein the order passed by the learned Single Judge in WPC No. 4874/2024 (Dharmendra Kumar vs. Chhattisgarh Vyavasayik Pariksha Mandal & Others) dismissing a similar claim was affirmed. The Division Bench has clearly upheld that once a candidate submits the application form with a particular category, the same cannot be permitted to be altered at a later stage, particularly after participation in the examination and declaration of results, as it would disturb the sanctity of the selection process.
8. In view of the aforesaid binding precedent, the issue raised in the present petition is no longer open for reconsideration and stands squarely covered by the judgment of the Division Bench. Accordingly, considering the facts and circumstances of the case and the settled legal position, this Court is not inclined to grant the



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reliefs sought by the petitioner.

9. Consequently, the present writ petition, being devoid of merit, is hereby **dismissed** in view of the order passed by the Division Bench in Writ Appeal No. 770/2024.

Sd/-

(Amitendra Kishore Prasad)
Judge

Raghu Jat