



2026:CGHC:20071

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2097 of 2026**

1 - Harshita Nishad D/o Harishchandra Nishad Aged About 23 Years
R/o Panduka, Awaspara, Block Chura, District - Gariyaband (C.G.)

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

1 - Chhattisgarh Professional Examination Board (Cgvyapam) Vyapam Bhawan North Block, Sector-19, Atal Nagar, New Raipur, District- Raipur, Chhattisgarh.

2 - Exam Controller Professional Examination Board (Cgvyapam), Vyapam Bhawan, North Block, Sector-19, Atal Nagar, New Raipur, District- Raipur, Chhattisgarh.

... Respondent(s)**(Cause Title is taken from CIS System)**

For Petitioner : Mr. Basant Dewangan, Advocate

For Respodnents : Ms. Akanksha Singh, Advocate holding brief
on behalf of Mr. Avinash Singh, Advocate

Hon'ble Mr. Justice Amitendra Kishore Prasad**Order on Board****30/04/2026**

1. The petitioner has filed this writ petition seeking following reliefs :

*"10.1 That, the records pertaining to the
case of the petitioner, may be kindly*



called for the kind perusal of this Hon'ble Court.

10.2. That, the Hon'ble Court may kindly direct the respondent authorities to consider the petitioner a candidate from O.B.C. (Non Creamy Layer) instead of being wrongly considered as a candidate from O.B.C. (Creamy Layer), in the interest of justice.

10.3 That, the Hon'ble Court may kindly direct the respondent authorities to decide the representation preferred by the petitioner, in the interest of justice.

10.4. That any other relief which this Hon'ble court may deem fit and just in the facts and circumstances of the case.”

2. Facts of the case, as projected, are that the dispute arises out of the Teachers Eligibility Test (TET) 2026 conducted pursuant to examination directions issued on 13.11.2025, with the examination held on 01.02.2026 across various districts of the State of Chhattisgarh. The petitioner duly applied for participation in the said examination by submitting all requisite documents, including her caste certificate, domicile certificate, and academic mark sheets. An admit card was issued to her, and she appeared in the examination. Upon declaration of the result, however, the petitioner was shown under the category of Other Backward Classes (Creamy Layer) instead of Other Backward Classes



(Non-Creamy Layer), allegedly due to which she was declared ineligible. The petitioner contends that this categorization is inconsistent with the certificates furnished by her, which clearly establish her status as belonging to the Non-Creamy Layer. Aggrieved by such discrepancy, she submitted a representation before the competent authority, but no decision has been taken thereon. It is further averred that in similar circumstances, this Court has directed the authorities to consider and decide such representations.

3. Learned counsel for the petitioner submits that the inaction on the part of the respondent authorities in not deciding the petitioner's representation is arbitrary and violative of her constitutional rights. It is contended that the incorrect mention of the petitioner's category as OBC (Creamy Layer) was purely inadvertent and occurred due to an auto-suggestion error while filling the online application form. The petitioner had no intention to misrepresent her category, and the mistake came to her knowledge only upon declaration of the result. Learned counsel emphasizes that all the documentary evidence submitted by the petitioner consistently reflects her correct status as OBC (Non-Creamy Layer), and thus the error in the result is apparent on the face of record. It is further argued that the respondent authorities ought to have considered and rectified the mistake upon receipt of the representation, particularly when no prejudice would have been caused to any



third party. Reliance is also placed on a prior order of this Court in a similar matter, wherein directions were issued to the authorities to decide the representation of the petitioner therein. On these grounds, it is prayed that appropriate directions be issued to the respondents to correct the petitioner's category and grant her the consequential benefits.

4. Per contra, learned counsel for the respondents opposes the submissions advanced on behalf of the petitioner and contends that the terms and conditions of the examination process are binding upon all candidates. It is submitted that the petitioner herself filled in the application form and selected her category as OBC (Creamy Layer), and therefore she cannot be permitted to resile from the same after declaration of the result. The respondents argue that the examination process is conducted in a transparent and time-bound manner, and any post-result modification in category would disrupt the entire selection process and adversely affect other candidates. It is further contended that the plea of inadvertent error due to auto-suggestion is an afterthought and cannot be a valid ground for seeking alteration of essential details furnished in the application form. The respondents also submit that the responsibility to correctly fill the application form lies solely upon the candidate, and any negligence in this regard cannot be attributed to the examining authority. It is thus urged that no interference is warranted by this



Court in exercise of its writ jurisdiction, and the petition deserves to be dismissed.

5. Having heard learned counsel for the parties at length and upon perusal of the material available on record, this Court proceeds to examine the controversy involved in the present petition.
6. At the outset, it is not in dispute that the petitioner participated in the Teachers Eligibility Test (TET) 2026 conducted in the State of Chhattisgarh. It is also an admitted position that while filling up the online application form, the petitioner mentioned her category as OBC (Creamy Layer). The case of the petitioner is that such mention was inadvertent and occurred due to an auto-suggestion error, and that in fact she belongs to OBC (Non-Creamy Layer), as reflected in the certificates submitted by her. However, from the record it is evident that the examination conducting authority had provided adequate opportunity to all candidates, including the petitioner, to verify and rectify any discrepancies or errors in the application form within the stipulated time. Such correction window is a standard feature of competitive examinations to ensure fairness, transparency, and finality in the selection process. Despite availability of such opportunity, the petitioner failed to avail the same and did not take any steps to correct the category wrongly mentioned by her. The contention of the petitioner that the mistake was inadvertent cannot be accepted at this stage.



7. It is well settled that the responsibility of correctly filling the application form lies solely upon the candidate. Once the correction window has elapsed and the application is finally submitted, the details furnished therein attain finality and form the basis for evaluation and declaration of result. Permitting alteration of such essential particulars after declaration of result would not only disturb the sanctity of the examination process but would also open floodgates for similar claims, thereby rendering the entire selection mechanism unworkable. In the present case, the petitioner approached this Court only after the result was declared and after she was declared ineligible on account of her own declaration of category. Such post-result correction of category is clearly impermissible under law.
8. The issue involved in the present case is no longer res integra and stands squarely covered by the decisions of the Division Bench of this Court in W.A. No. 770 of 2024 as well as in WPC No. 2026 of 2025, wherein it has been categorically held that once a candidate has submitted the application form and has not availed the opportunity of correction within the prescribed period, no modification in category or other material particulars can be permitted after declaration of result.
9. In view of the aforesaid settled legal position, this Court is of the considered opinion that the petitioner, having failed to rectify the defect despite being granted an opportunity, cannot now seek



2026:CGHC:20071

indulgence of this Court for correction of her category after publication of the result.

10. Accordingly, the writ petition being devoid of merits is hereby **dismissed**.

11. No order as to costs.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shayna