



2026:CGHC:18500



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3832 of 2025

Satrughan Prasad Kanwar S/o Shri Shiv Singh Aged About 32 Years
R/o Mauhadih, Post - Jharna, District Janjgir-Champa (C.G.)

--- **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Secretary, Forest Department, Atal Nagar, New Raipur (C.G.)

2 - Principal Chief Conservator Of Forest Aranya Bhawan, Sector-19, North Block, Atal Nagar, New Raipur (C.G.)

3 - Divisional Forest Officer Forest Division Janjgir-Champa, Tahsil Road Janjgir-Champa (C.G.)

4 - Kripal Singh S/o Keshav Singh R/o Village - Darrabhata, Post - Umeli, Tahsil - Barpali, District - Korba (C.G.)

--- **Respondent(s)**

For Petitioner	:	Mr. V.K.Sharma, Advocate
For Resp. No. 1 to 3	:	Mr. Suyashdhar Badgaiya, Govt. Advocate
For Resp. No.4	:	Ms. Kusum Lalchandani, Advocate

WPS No. 4135 of 2025

Ramesh Kumar S/o Haricharan Aged About 29 Years R/o Village And Post Kashigarh, Tahsil- Jaijaipur, District Sakti (C.G.)

---**Petitioner(s)**

Versus

1 - State Of Chhattisgarh Through The Secretary, Department Of



Forest, Mantralaya Mahanadi Bhawan, Atal Nagar, Naya Raipur,
District - Raipur (C.G.)

2 - Principal Chief Conservator Of Forest, Aranya Bhawan, Sector-
19, North Block, Atal Nagar, New Raipur (C.G.)

3 - Conservator Of Forest, Forest Division Bilaspur, Bhakt Kanwar
Ram Road, Sindhi Colony, Jarbhata, Bilaspur, District Bilaspur (C.G.)

4 - Divisional Forest Officer, Forest Division, Bilaspur, District Bilaspur
(C.G.)

5 - Mahesh Yadav Through Conservator Of Forest, Forest Division
Bilaspur, Bhakt Kanwar Ram Road, Sindhi Colony, Jarbhata,
Bilaspur, District Bilaspur (C.G.)

--- Respondent(s)

For Petitioner	:	Mr. Sourabh Sahu, Advocate
For Resp. No. 1 to 4	:	Mr. Suyashdhar Badgaiya, Govt. Advocate
For Resp. No.5	:	None appears

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

Order On Board

22/04/2026

1. As both the writ petitions are arising out of same recruitment proceeding which is under challenge in both the writ petitions and grounds of challenge are also one and the same, therefore, both the writ petitions are taken up for hearing analogously and are being disposed of by this common order.

2. Petitioner in WPS No.3832 of 2025 has sought for following reliefs:

“(i) That, this Hon'ble Court may kindly be pleased to quash Annexure P/1 by which objection has been rejected and merit list has been issued and direction may be issued to prepare selection list



only on the basis of marks of examination as per clause 6 and 7 of the advertisement by not including marks of experience in the interest of justice.

(ii) That this Honble Court may also kindly declare that awarding of marks of experience is illegal as it is contrary to terms of advertisement,

(iii) Any other relief which may be suitable in the facts and circumstances of the case, may also be granted.”

3. Petitioner in WPS No.4135 of 2025 has sought for following relief:

“10.1 That, this Hon'ble Court may kindly be pleased to quash the Letter dated 27/05/2025, bearing No.Stha./Va.Cha./2025/283, issued by respondent no.3.

10.2 That, this Hon'ble Court may kindly be pleased to direct the respondents to appoint the petitioner on the post of Driver in the office of Forest Conservator (Karya Aayojna), Forest Division Bilaspur.

10.3 Any other relief which this Hon'ble Court may deem fit in the facts and circumstances of the case.”

4. Learned counsel appearing for both the petitioners would jointly submit that petitioners have submitted application for their appointment on the post of Driver pursuant to advertisement issued by respondent No.2. In the advertisement there is no mention of award of marks for experience also. When



respondents have declared the select list mentioning the marks awarded to candidates for experience also, they have filed these writ petitions challenging the same. They contended that selection ought to have been made based on marks secured by candidates in skill test and practical test only. There is no mention in advertisement that any marks is to be awarded towards experience. In support of their contention they also refer to Clause 6 & 7 of the advertisement.

5. On the other hand, learned counsel for the State vehemently opposes submission of learned counsel for the petitioners and would submit that in the advertisement in particular para-6, there is clear mention that recruitment proceedings would be based on procedure to be prescribed by State Govt. in this regard. At the time of issuing advertisement, there was no prescribed procedure. However, it was published on 26.07.2023. He contended that when once in the advertisement there is mention that after receipt of application further procedure is to be adopted based on procedure to be formulated by State Govt. and petitioners pursuant to procedure formulated, have appeared in skill test and practical test then they cannot object to part of procedure which provides for award of marks based on their experience, which provides for 2 marks for 2 years' experience and accordingly it is to be increased and maximum 10 marks are to be awarded for experience.

6. Learned counsel appearing for respondent No.4 in WPS No.3832 of 2025 also adopts the submission made by learned



counsel for the State.

7. I have heard learned counsel for the parties and also perused the documents enclosed along with writ petitions.
8. Main grievance of petitioners in these writ petitions is that respondent-State has awarded additional marks of experience to the candidates participated in recruitment proceedings without there being any such norms in any of the clause of advertisement published by respondents No. 1 to 3. Copy of advertisement is placed in record at page No.14 of writ petition which is dated 18.05.2023. Last date for submission of online application Form was 11.06.2023 till 11:59 p.m. Clause of advertisement which is relevant in view of argument raised by learned counsel for petitioners as also respondents is Clause -6 which is extracted before for ready reference:

“6. चयन प्रक्रिया - आवेदकों से निर्धारित तिथि तक प्राप्त आवेदन पत्रों की जांच एवं छानबीन करते हुये समस्त निर्धारित अर्हताओं को पूर्ण करने वाले आवेदकों की सूची तैयार की जायेगी। आवेदन पत्रों की जांच पश्चात् शासन द्वारा निर्धारित प्रक्रिया अनुसार पात्र अभ्यर्थियों को वाहन चालन एवं वाहन मशीन के ज्ञान की प्रायोगिक परीक्षा हेतु वृत्त मुख्यालय में बुलाया जायेगा, जिसके लिए तिथि एवं स्थल निर्धारित होने की सूचना पृथक से विभागीय वेबसाइट पर दी जावेगी।”

9. In the afore-extracted portion of advertisement, there is clear mention that upon submission of application Form, it will be inquired and thereafter according to procedure prescribed, eligible candidates will have to undergo driving skill test and



practical exam on the date and time fixed.

10. Along with reply of respondents/State, they have placed on record the procedure formulated for direct recruitment of vehicle Drivers. Petitioners have not objected to part of procedure prescribed for direct recruitment which also includes the walk test and other mode of driving skill test etc. as mentioned therein but for the award of marks towards experience.

11. Perusal of procedure formulated by State Govt. filed as Annexure R/2 would show that total marks for practical exam and experience is 100, out of which, 50 marks is towards driving skill test, 40 marks towards practical exam and knowledge of vehicle and machines and 10 marks towards experience. 10 marks to be awarded towards experience has been further specified as 2 marks for 2 years i.e. 1 mark for each year and maximum marks which can be awarded towards experience is 10 for 10 years.

12. Respondents have filed merit list as Annexure R-1 in which name of petitioner in WPS No.3832 of 2025 is shown at Sr. No. 2 and he was awarded 3 marks towards experience. Petitioner in WPS No.4135 of 2025 is not named in select list. When once the petitioners accept part of procedure formulated by State Govt. for selection of Driver then petitioners cannot in any manner be permitted to object the other part of procedure formulated by State Govt. for awarding marks towards experience. In the advertisement, it is clearly mentioned that



what will be the selection procedure and it mentions about the procedure to be prescribed by the State Govt.

13. In the case at hand, pursuant to Clause -6 of advertisement, respondents-State has formulated the selection procedure and therefore submission of learned counsel for the petitioners that respondent -employer has varied the selection procedure as mentioned in the advertisement is not sustainable.

14. For the foregoing discussions, in the opinion of this Court, respondent authorities for the purpose of recruitment of Driver pursuant to advertisement dated 18.05.2023 have issued the select list/merit list of the Driver based on the procedure as formulated by State Govt. and therefore I do not find any merit in these writ petitions and to grant relief as prayed for.

15. Accordingly, writ petitions being sans merit are liable to be and are hereby dismissed.

Sd/-
(Parth Prateem Sahu)
Judge

Praveen