



2025:CGHC:11905
AFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7701 of 2024

- 1** - Indu Bhagat D/o Baldev Bhagat Aged About 41 Years R/o Village Bojiya Post Bojiya, Tehsil Dharamjaigarh, District Raigarh, Chhattisgarh 496665.
- 2** - Samira Tigga D/o Francis Tigga Aged About 43 Years R/o Balgangadhar Tilak Ward No. 10, Parsad Gali Indranagar, Post Funduldihari Nawapara, Tehsil Ambikapur, District Surguja, Chhattisgarh. 497001.
- 3** - Sanjeeta Tirkey D/o Dharam Chand Tirkey, Aged About 37 Years R/o Village Fundurdihari, Bichpara, Ward No. 10, Post Fundurdihari Nawapara, Tehsil Ambikapur, District Surguja, Chhattisgarh. 497001.
- 4** - Neha Singh D/o Moti Singh Aged About 30 Years R/o Near Govt. Hr. Sec. School Gandhinagar, Ward No. 07, Post Ambikapur, Tehsil Ambikapur, District Surguja, Chhattisgarh, 497001
- 5** - Anju Markam W/o Prakash Singh Markam, Aged About 29 Years R/o Village Betari, Post Malhar, Tehsil Masturi, District Bilaspur, Chhattisgarh. 495551.
- 6** - Abha Tirkey D/o Fuljens Tirkey, Aged About 30 Years R/o Village Negitoli Tangargaon, Post Pongro, Tehsil Kansabel, District Jashpur, Chhattisgarh. 496223
- 7** - Sarita D/o Somarsai Aged About 28 Years R/o Village Raisara, Post Chandramedha, Tehsil Odgi, District Surajpur, Chhattisgarh. 497235.
- 8** - Jeny Sheetal Kuzur, D/o Jai Masih Kuzur, Aged About 29 Years R/o Behind Central School Near Devdutt Colony, Post Raghavpuri, Tahsil Ambikapur, District Surguja, Chhattisgarh. Pincode – 497001.

- 9** - Newajo Ayam S/o Brijlal Ayam, Aged About 36 Years R/o House No. 19, Ward No. 01, Village Mendhari, Post Karamdiha, Block Wadrafnagar, District Balrampur, Chhattisgarh. Pin 497225.
- 10** - Swarn Lata Minj D/o Camil Minj, Aged About 33 Years R/o Soni Colony, House No. 06, Post. Ambikapur, District Surguja, Pin 497001.
- 11** - Jagarnath Ram S/o Budhan Ram Aged About 31 Years R/o Village Dumarkhola, Post Daura, Tehsil Daura Kochli, District Balrampur Ramanujganj, Pin 497118.
- 12** - Sangeeta W/o Hemant Kumar Singh Aged About 31 Years R/o Village Judwani, Post Lakhnpur, Tehsil Lakhanpur, District Surguja, Pin 497116.
- 13** - Krensiya Xalxo D/o Paras Xalxo, Aged About 34 Years R/o Village Ropakhar, Post Kamleshwarpur, Tehsil Narmadapur, District Surguja, Pin 497111.
- 14** - Anima Minj D/o Bhukhan Ram Minj, Aged About 33 Years R/o Khadadorna, Post Sitapur, Tehsil Sitapur, District Surguja, Pin 497111.
- 15** - Mary Kusum Ekka D/o Kunwar Aged About 35 Years R/o Subhash Nagar, Ambikapur, Post Ambikapur, Tehsil Ambikapur, District Surguja, Pin 497001.
- 16** - Sarita Paikra D/o Jhari Ram Aged About 29 Years R/o Village Khajuri, Post Pratappur, Tehsil Pratappur, District Surajpur, Chhattisgarh Pin 497223
- 17** - Lalita Bhoi D/o Makardhwaj Bhoi, Aged About 32 Years R/o Village Pithora, Post Pithora, Tehsil Pithora, District Mahasamund, Chhattisgarh, Pin 493551.
- 18** - Anamika Singh D/o Shivbhajan Singh Aged About 33 Years R/o Village Shivnandanpur, Post Bishrampur, Tahsil Surajpur, District Surajpur, Chhattisgarh. Pin 497226.
- 19** - Hemant Kumar Khandey S/o Kripa Ram Khandey Aged About 28 Years R/o Ward No. 47, Near Ekka Villa Ramkrishna Nagar, Mopka, Post Mopka, Tehsil Bilaspur, District Bilaspur, Chhattisgarh. Pin 495006.

20 - Rahul Chaturwedani S/o Basant Kumar, Aged About 27 Years R/o Village Kendri, Post Abhanpur, Tehsil Abhanpur, District Raipur, Chhattisgarh.

21 - Kaminee Naik D/o Laljeet Singh Naik, Aged About 29 Years R/o Tikrapara Road Mannu Chowk, House No. 139, Post Juna Bilaspur, Tehsil Bilaspur, District Bilaspur Chhattisgarh. Pin 495001.

22 - Hemant Kumar S/o Hori Lal Aged About 28 Years R/o Village Mirchid, Post Office Parsadih, Tehsil Bilaigarh, District Sarangarh Bilaigarh. Pin Code 493338

23 - Lalaram Kewat S/o Maheshwar Prasad Kewat Aged About 29 Years R/o Village Dhamalpur, Post Hasuwa, Tehsil Tundra, District Balodabazar - Bhatapara, Pin 493344

24 - Sangita, D/o Bala Ram, Aged About 28 Years R/o House No. 11, Village Sonuri, Post Sohaspur Lohara, Tehsil Sohaspur Lohara, District Kabirdham, Chhattisgarh, Pin 491996.

25 - Ratna D/o Ashwani Aged About 29 Years R/o H. No. 03 Khaprihapara, Village Jhipan, Post Rawan, District Baloda Bazaar-Bhatapara, Pin Code 493196.

--- **Petitioners**

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of School Education Mantralaya, Mahanadi Bhawan, Atal Nagar Naya Raipur, District Raipur, Chhattisgarh.

2 - Director, Directorate Of Public Instructions, Indrawati Bhawan, Block C, 1st Floor, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh.

3 - Joint Director, Education Surguja Division, Ambikapur, District Surguja, Chhattisgarh.

4 - Joint Director, Education Bastar Division, Jagdalpur, District Jagadapur, Chhattisgarh.

--- **Respondents**

WPS No. 7708 of 2024

- 1** - Shakuntala Netam D/o Chandra Prakash Netam Aged About 29 Years R/o Village Nirachhindali, Post Jamgaon, Tehsil Keshkal , District Kondagaon, Chhattisgarh. 494331
- 2** - Junas Ekka S/o Khurnu Ekka Aged About 41 Years R/o Village Dhelsara, Post Sitapur, Tehsil Sitapur, District Surguja, Chhattisgarh 497111
- 3** - Pranay Kumar Kujur S/o Albert Kujur Aged About 32 Years R/o Namnakala Ambikapur, Post Ambikapur, Tehsil Ambikapur, District Surguja, Chhattisgarh. Pin 497001
- 4** - Subhadra Kujur D/o Santosh Kujur Aged About 33 Years R/o Shanti Bhawan, Patpariya, Ward No. 11, House No. 166, Post Ambikapur, Tehsil Ambikapur, District Surguja, Chhattisgarh. 497001
- 5** - Atul Toppo S/o Anthres Toppo Aged About 28 Years R/o Village Ginabahr, Post Ginabahr, Tahsil Kunkuri, District Jashpur, 496225, Chhattisgarh.
- 6** - Aradhna Singh D/o Anil Kumar Singh Aged About 33 Years Village Gaina, Post Keshari, Tahsil Raghunath Nagar, District Balrampur 497255, Chhattisgarh.
- 7** - Poonam Singh W/o Vidyacharan Singh Aged About 33 Years R/o Village, Post, Tehsil - Wadrafnagar, District Balrampur, Chhattisgarh. 497225
- 8** - Vishal Kerketta S/o Rambiruch Kerketta Aged About 25 Years R/o House No. 23, Village Banspara, Kantiprakashpur, Post, Tehsil-Ambikapur, District Sarguja, Chhattisgarh. 497001
- 9** - Nirmala Toppo D/o Alvinus Toppo Aged About 37 Years R/o Village Jatga, Post Jatga, Tehsil Podi Uroda, District Korba, Chhattisgarh. 495445
- 10** - Puja Singh W/o Pramod Singh Aged About 35 Years R/o Village Jhirmitti, Post Udaipur, Tehsil Udaipur, District Surguja, Chhattisgarh, 497117
- 11** - Jacinta D/o Theman Aged About 30 Years R/o Village Rajapur Bhainsakhar, Post Guturma, Tehsil Mainpat, District Sarguja, Chhattisgarh. 497114

12 - Sadhana Minj D/o Petrus Aged About 29 Years R/o Village Aonrijor, Post Harradand, Tehsil Kunkuri, District Jashpur, Chhattisgarh. 496225

13 - Asha Kumari W/o Pritpal Singh Aged About 34 Years R/o Village Ghunchapur, Post Darrabhatha, Tehsil Podi Uprora, District Korba, Chhattisgarh. 495445

14 - Namita Kanwar W/o Leeladher Singh Kanwar Aged About 35 Years R/o Village Kamal Sagar, Mohalla Gidhour, Post Dadarkala, Tehsil Barpali, District Korba, Chhattisgarh. 495674

15 - Auxiliya Panna D/o Airus Panna Aged About 32 Years R/o Village Bhagattoli, Post Jumaikela, Tehsil Kansabel, District Jashpur, Chhattisgarh. 496223

16 - Madhu Netam D/o B.R. Netam Aged About 27 Years R/o Ayodhya Dham, Ward No. 1 Kabirdham, Post Sohaspur Lohara, Tehsil Sohaspur Lohara, District Kabirdham, Chhattisgarh. Pin 491995

17 - Namit Kumar Diwan S/o Tikam Singh Diwan Aged About 24 Years R/o Village Jhitki, Post Narra, Tehsil Komakhan, District Mahasamund, Chhattisgarh. 493449

18 - Pratima D/o Munna Lal Shandilya Aged About 27 Years R/o Village Mode, Post Sankhra, Tehsil Nagri, District Dhamtari, Pin 493778

19 - Leena Darro D/o Sampat Singh Darro Aged About 26 Years R/o Village Kumhar Para, Ward No. 13, Post, Tehsil Narayanpur, District Narayanpur, Chhattisgarh. 494661

---**Petitioners**

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh.

2 - Director, Directorate Of Public Instructions, Indrawati Bhawan, Block C, 1st Floor, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh.

3 - Joint Director Education Surguja Division, Ambikapur, District Surguja, Chhattisgarh.

4 - Joint Director, Education Bastar Division Jagdalpur, District Jagdalpur, Chhattisgarh.

--- Respondents

WPS No. 7711 of 2024

1 - Smriti Mukta Xaxa D/o Awatar Xaxa Aged About 31 Years R/o Village Shantinagar, Basen, Post Musgutri, Tehsil Bagicha, District Jashpur, Chhattisgarh, 496224

2 - Pinkee Ekka D/o Inderpal Ekka Aged About 30 Years R/o Village Patnakot, Post Patna, Tehsil Ramanujnagar, District Surajpur Chhattisgarh 497229

3 - Meena Tirkey D/o Naya Ram Tirkey Aged About 33 Years R/o Village Sureshpur, Post Sureshpur, Tehsil Pathalgaon, District Jashpur (Chhattisgarh) 496118

4 - Dinesh Kumar S/o Hiranman Lal Aged About 33 Years R/o Village Kirgahatola, Post Shikari Mahaka, Tehsil Chhuriya, District Rajnandgaon, Chhattisgarh 491558

5 - Singluram Kowachi S/o Champuram Kowachi Aged About 29 Years R/o Village Hadfad, Post Chikhli, Tehsil Durgukondal, District Kanker (Chhattisgarh) Pin 494771

6 - Prakash Chandra Kashyap S/o Sant Kumar Kashyap Aged About 29 Years R/o Village R.E.S. Colony, Post Kanker, Tehsil Kanker, District Kanker (Chhattisgarh) 494334

7 - Khemlata Nayak D/o Dular Ram Aged About 24 Years R/o Village And Post Hatkarra, Tehsil Bhanupratappur District Kanker (Chhattisgarh) 494670

8 - Savita Netam D/o Nehrulal Netam Aged About 32 Years R/o Village Karagaon, Post Bhanpuri, Tehsil Pharasgaon, District Kondagaon, Chhattisgarh 494229

9 - Sandhya D/o Chhedhi Lal Aged About 29 Years R/o H.N. 226 Block Colony Pharasgaon Post Pharasgaon District Kondagaon (Chhattisgarh) 494228

- 10** - Ishwari Netam W/o Girvar Singh Netam Aged About 30 Years R/o Village Airmur, Post Airmur Tehsil Lohandiguda, District Bastar (Chhattisgarh) 494010
- 11** - Anju Nilam Kindo D/o Habil Kindo Aged About 36 Years R/o Village Pongro, Post Pongro, Tehsil Kansabel, District Jashpur (Chhattisgarh) 496223
- 12** - Rajani Netam D/o Shyamlal Netam Aged About 24 Years R/o Village Saraipali, Post Lamkeni, Tehsil Saraipali, District Mahasamund (Chhattisgarh) 493558
- 13** - Hemlata Pareshwar D/o Vasudev Pareshwar Aged About 25 Years R/o Village Jatakanhar, Post Pajhrapali, Tehsil Saraipali, District Mahasamund (Chhattisgarh) 493558
- 14** - Deepak Kumar S/o Krishna Kumar Aged About 28 Years R/o House No.-12, Ward No.-01 Village Bhanwar, Post Binjhara, Tehsil Pondi Uproda, District Korba (Chhattisgarh) 495445
- 15** - Ajay Kumar S/o Vishram Singh Aged About 28 Years R/o House No.- 57, Ward No.-13, Village Dongartarai, Post Binjhara, Tehsil Pondi Uproda, District Korba (Chhattisgarh) 495445
- 16** - Jagat Ram Binjhwar S/o Rajaram Aged About 42 Years R/o Village And Post Chicholi, Tehsil, Kartala, District Korba (Chhattisgarh) 495671
- 17** - Bhupendra Kumar S/o Mani Ram Aged About 31 Years R/o Village Masulkasa, Post Godalwahi, District Rajnandgaon (Chhattisgarh) 491661
- 18** - Ghanshyam S/o Heera Lal Aged About 30 Years R/o Village And Post Kirgi, Tehsil Dongargaon, District Rajnandgaon (Chhattisgarh) 491661
- 19** - Dhananjay Chandravanshi S/o Vedram Chandravanshi Aged About 35 Years R/o Village Chilguda, Post Gandai, Tehsil Chhuikhadan, District Khairagarh Chhuikhadan Gandai (Chhattisgarh) 491888
- 20** - Asha Sidar W/o Om Prakash Sidar Aged About 36 Years R/o Village And Post Baghoud, Tehsil Dabhara, District Sakti (Chhattisgarh) 495692

21 - Anjelina Kispotta D/o Willam Kispotta Aged About 35 Years R/o Village Kharwaatoli, Post Keraadih, Tehsil Kunkuri, District Jashpur (Chhattisgarh) 496225

---Petitioners

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh

2 - Director Directorate Of Public Instructions, Indrawati Bhawan, Block C, 1st Floor, Atal Nagar, Nawa Raipur, District Raipur (Chhattisgarh)

3 - Joint Director Education Surguja Division, Ambikapur, District Surguja Chhattisgarh

4 - Joint Director Education Bastar Division, Jagdalpur, District Jagdalpur (Chhattisgarh)

--- Respondents

WPS No. 7710 of 2024

1 - Kapil Dev S/o Sham Kumar Aged About 31 Years R/o Village Nakna, Post Bataikela, Tehsil Batauli, District Surguja, Pin 497101 (C.G.).

2 - Parvati Komare D/o Shivnath Singh Komare Aged About 27 Years R/o Village Ategarda, Post Dighwadhi, Tehsil Khadhgaon, District Mohla- Manpur-Ambagarh Chouki (C.G.) Pin 491229.

3 - Balram S/o Malikram Aged About 30 Years R/o Village Navalpur, Post Gadamor, Tehsil Nawagarh, District Bemetara, (C.G.) Pin 491337

4 - Anamika Singh D/o Shivbhajan Singh Aged About 33 Years R/o Village Shivnandanpur, Post Bishrampur, Tehsil Surajpur, District Surajpur, (C.G.) Pin 497226.

5 - Gulab Chand Kothari S/o Dayaram Kothari Aged About 34 Years R/o Village Dumardih, Post Patora, Tehsil Durg, District Durg, (C.G.) Pin 491107.

6 - Kaushilya Thakur D/o Agyaram Thakur, Aged About 27 Years R/o Village Dumarपाली, Post Dumarपाली, District Mahasamund, (C.G.) Pin 493551.

7 - Durgeshwari D/o Harishchandra, Aged About 28 Years R/o Village Bharda, Post Dhadaha, Tehsil Kurud, District Dhamtari, (C.G.) Pin 493663.

---Petitioners

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh.

2 - Director, Directorate Of Public Instructions, Indrawati Bhawan, Block C, 1st Floor, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgrh.

3 - Joint Director, Education Surguja Division, Ambikapur, District Surguja, C.G.

4 - Joint Director, Education Bastar Division, Jagdalpur, District Jagdalpur, Chhattisgarh.

... Respondents

WPS No. 7706 of 2024

1 - Kapil Kumar Dhruw S/o Manrakhan Lal, Aged About 33 Years R/o Village-Gobari, Post Manikchauri, Tehsil-Masturi, District- Bilaspur (C.G.) 495551.

2 - Kanhaiya Lal Arya S/o Paras Ram Arya, Aged About 34 Years R/o Village-Aasram Ward 11, Narayanpur, Post Narayanpur, Tehsil Narayanpur, District-Narayanpur (C.G.) Pin 494661.

3 - Amit Lal Mandavi S/o Sonau Ram Mandavi, Aged About 34 Years R/o Village And Post- Dhanelikanhar, Tehsil And District- Kanker (C.G.) 494670.

4 - Ganesh Ram S/o Madan Singh, Aged About 36 Years R/o Village-Bargaon, Post-Hatkondal, Tehsil Durgukondal, District-Kanker (C.G.) 494635.

- 5** - Jyoti Thakur D/o O.R. Thakur, Aged About 34 Years R/o Village-Kanjeli, Post-Singhola, Tehsil Dondi, District-Balod (C.G.) 491226.
- 6** - Lakhmu Ram S/o Sukhram, Aged About 33 Years R/o House No. 144, Farsa Padar Para, Village-Palari, Post-Palari, Tehsil- Kondagaon, District-Kondagaon (C.G.) Pin 494226.
- 7** - Manisha D/o Mohan Singh, Aged About 26 Years R/o Village-Tiwarta, Post- Tiwarta, Tehsil- Hardibajar, District- Korba (C.G.), Pin 495449.
- 8** - Ileshwari D/o Johan Singh, Aged About 30 Years R/o House No. 28, Village Pendra, Post-Pendra, Tehsil-Rajim, District-Gariyaband (C.G.) Pin 493992.
- 9** - Niku D/o Kisun, Aged About 27 Years R/o Village-Bhendi, Post-Suregaon, Tehsil- Dondilohara, District-Balod (C.G.) Pin 491225.
- 10** - Ramgovind Singh Kanwar S/o Lakhan Singh Kanwar, Aged About 31 Years R/o Village-Gidhoura, Post- Dadarkala, Tehsil- Kartala, District-Korba (C.G.) Pin 495674.
- 11** - Revendra Kumar S/o Narottam Singh, Aged About 36 Years R/o Village-Siwani, Post- Dondi Lohara, District-Balod (C.G.), Pin 491771.
- 12** - Rishi Kumar S/o Radheshyam Sai, Aged About 37 Years R/o Ward No. 9, Chote Nahar, Village-Ranigaon, Post-Lormi, District-Mungeli (C.G.) Pin 495115.
- 13** - Mukesh Rawte S/o Savat Ram, Aged About 29 Years R/o Village-Nadiya, Post-Khujji, Tehsil- Dongargaon, District-Rajnandgaon, Pin 491661 (C.G.)
- 14** - Chanchal Dhanpal D/o Homendra Dhanpal, Aged About 24 Years R/o Village-Arjuni, Post-Arjuni, Tehsil- Dongargaon, District-Rajnandgaon (C.G.) Pin 491441.
- 15** - Bindeshwari Rawte D/o Ful Singh Rawte, Aged About 26 Years R/o House No. 276, Ward No. 16, Village-Khadgaon, Post-Khadgaon, Tehsil-Khadgaon, District- Mohla-Manpur-Ambagarh Chowki (C.G.), Pin 491229.
- 16** - Sindu Rani Kujur D/o Abraham Kujur, Aged About 44 Years R/o Datt Township, Flat No. 410, F Block, District-Jabalpur (M.P.) 482021.

17 - Bhumisuta Bhoi D/o Ghanshyam Bhoi, Aged About 30 Years R/o Village-Anjadi, Government Primary School, Post Ghodagaw, Tehsil-Pakhanjore, District-Kanker (C.G.) Pin 494776.

18 - Anil Sai S/o Prahlad Sai, Aged About 35 Years R/o Village-Foskotoli, Post-Deori, Tehsil- Kansabel, District-Jashpur (C.G.) Pin 496223.

19 - Yashwant Kumar S/o Sushil Kumar, Aged About 32 Years R/o Village-Mandeeep, Post- Nagarada, Tahsil-Sonakhan, District-Balodabazar (C.G.) Pin 492112.

20 - Kalyani Markam D/o Nanjat Ram Markam, Aged About 35 Years R/o Village-Kavra, Post Bavai, Tehsil-Makdi, District- Kondagaon (C.G.) 494226

---Petitioners

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District-Raipur (C.G.)

2 - Director, Directorate Of Public Instructions, Indrawati Bhawan, Block C, 1st Floor, Atal Nagar, Nawa Raipur, District- Raipur (C.G.)

3 - Joint Director, Education, Surguja Division, Ambikapur, District-Surguja (C.G.)

4 - Joint Director, Education, Bastar Division, Jagdalpur, District-Jagdalpur (C.G.)

--- Respondents

(Cause-title taken from Case Information System)

For Petitioners	:	Dr. Jitendra Kishor Mehta assisted by Mr. Anand Kumar Kujur, Advocates
For Respondents-State	:	Mr. Ajit Singh, Govt. Advocate

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

10.03.2025

1. Heard Dr. Jitendra Kishor Mehta assisted by Mr. Anand Kumar Kujur, Advocates for the respective petitioners. Also heard Mr. Ajit Singh, Govt. Advocate appearing for the State/respondents.
2. Since the common issue is involved in all the writ petitions, as such, they are clubbed together, heard together and disposed of by this common order.
3. The petitioners are seeking indulgence of this Court with a prayer that the respondent authorities be directed to conclude the Direct Recruitment of Teachers "E" & "T" Cadre 2023 for the vacant posts of Divisional Cadre in Surguja and Bastar Division. After appearing in the Teacher Recruitment Examination-2023 conducted by Chhattisgarh Vyawsayik Pariksha Mandal, Raipur (herein called as 'CGVYAPAM) on behalf of Directorate of Public Instructions (Department of School Education), the petitioners who are in merit list are waiting to undergo appointment process in the vacant post of teacher and lecturer 'E' & T' cadre through online counselling. The respondents have not yet notified in public domain that they have stopped or are going to continue the process of appointment through online counselling for the remaining vacant posts of Teachers, but till date, the respondents have not completed the process of recruitment, for which the respondents had published advertisement for the direct

recruitment of Teachers and Lecturers "E" & "T" Cadre for the vacant posts of Divisional cadre in Surguja and Bastar Division.

4. In all the writ petitions, almost same reliefs have been claimed by the petitioners. For the sake of brevity, the reliefs sought by the petitioners in WPS No.7701/2024 (Indu Bhagat and other vs. State of Chhattisgarh and others) has been taken into consideration which are quoted hereinbelow:-

“(i) That this Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case.

(ii) That this Hon'ble Court may kindly be pleased to issue appropriate writs/orders/direction to the respondent authorities to conclude the Direct Recruitment of Teachers "E" & "T" Cadre 2023 for the vacant posts of Divisional Cadre in Surguja and Bastar Division.

(iii) That this Hon'ble Court may kindly be pleased to issue appropriate writs/orders/direction to the respondents not to create new vacancy for the post of teachers till the present Teacher Recruitment 2023 is concluded.

(iv) That this Hon'ble Court may kindly be pleased to issue appropriate writs/orders/

direction to consider the representations preferred by the petitioners.

(v) That any other relief/order which may be deem fit and just in the facts and circumstances of the case may kindly be granted.”

5. Brief facts necessary for disposal of all these writ petitions are that the petitioners had appeared in the Teacher Recruitment Examination-2023 which was conducted by CGVYAPAM and they are waited to undergo appointment process in the vacant post of teacher and lecturer 'E' & ' T' cadre through online counselling. The respondents initiated teacher recruitment process under Chhattisgarh School Education Services (Educational and Administrative Cadre) Recruitment and Promotion Rules, 2019 (for short, “Rules of 2019”) and on 04.05.2023, the Department of Public Instructions (Department of School Education) published two separate detailed advertisement inviting online application from the eligible candidates for Direct Recruitment of Teachers "E" & "T" Cadre and Lecturer "E" & "T" Cadre for the vacant posts of Divisional cadre in Surguja and Bastar Division, respectively. The number of vacant posts for Teacher E' cadre was 1113 and for the Teacher T' cadre was 4659 a total of 5772 posts of teachers. The total number of vacant posts for Lecturer cadre was 432. The petitioner have filled their online application forms as scheduled through the website of CGVYAPAM. On 10.06.2023, the

CGVYAPAM has conducted the Teacher Recruitment Examination-2023 and on 15.06.2023, the CGVYAPAM has released the model answers of the said examination and invited claims or objections on the model answer of Assistant Teacher "E" & "T Cadre Recruitment Examination-2023.

6. Thereafter, on 02.07.2023, the respondents published a combined merit list of the said examination and the respondents issued notification for process of appointment through online counselling Phase I, Phase II, Phase III, Phase IV on the respective dates i.e., 13.07.2023, 08.08.2023, 15.09.2023 and 13.02.2024 on the vacant post of Lecturers for the subjects Mathematics, Physics and Commerce.
7. Thereafter, the respondents have further issued notification for process of appointment through online counselling Phase I, Phase II, Phase III, Phase IV, Phase V on the respective dates i.e., 06.09.2023, 12.08.2023, 21.09.2023, 06.02.2024, 05.03.2024 on the vacant post of Teachers, but neither all the vacant posts of Lecturer 'E' & 'T' cadre were filled even after four phases of online counselling was completed nor all the vacant posts of Teacher 'E' & 'T' cadre were filled even after five phases of online counselling was completed. Thereafter, the petitioners submitted representations to the respondents to conduct the process of appointment through online counselling (Phase VI) for the remaining vacant posts of Teacher 'E' & 'T' cadre. The respondents did not seem to continue the further process of

appointment through online counselling for the remaining vacant posts advertised against Teachers Recruitment-2023 and as such, the petitioners submitted representations to various authorities of the State Government on different occasions.

- 8.** Further, on 21.08.2024 the petitioners have submitted representations before the Chhattisgarh State commission for Scheduled Tribe, Raipur requesting the Chairman of the Commission to intervene in favour of the petitioners by way of seeking clarification from the respondents regarding the stopped process of appointment through online counselling for the remaining vacant posts of Teachers. The respondents replied to the Chhattisgarh State Commission for Scheduled Tribe, Raipur with reference to its Letter No. 2337, Dated 02.08.2024 Case No. 86/2024 on 13.08.2024 and with reference to its Letter No. 2761 Dated 27.08.2024 Case No. 86/2024 on 30.08.2024, admitting that out of total sanctioned post of 5772, the total number of unfilled vacant posts are 915 for Teacher cadre 'E' & 'T' and similarly out of total sanctioned post 432, the total number of unfilled vacant posts are 80 for Lecturer cadre 'E' & 'T'.
- 9.** It is further case of the petitioners that the respondents were aware of the fact the validity of panel/merit list is for only one year, yet they have intentionally delayed the recruitment process without exercising on any policy decision or reasonableness and let the validity expire depriving the selected candidates from getting appointed to the vacant post, which is illegal in the teeth of

order passed by the Hon'ble Supreme Court and the acts committed by the respondent authorities are nonetheless, but culpable exercise of power, as such, the advertisement issued for recruitment of Assistant Teacher dated 04.05.2023 is required to be quashed interalia with a prayer that the petitioners may be considered for appointment on the post of Assistant Teacher for their relevant subjects as they were selected for appointment, however, they could not be appointed due to the inaction on the part of respondent authorities.

10. Learned counsel for the respective petitioners in all the writ petitions would submit that when the petitioners were selected and their documents were verified then the petitioners should have been appointed by the respondent authorities, however, inspite of appointing petitioners on their respective subjects even after their selection, the respondent authorities have issued a fresh advertisement dated 04.05.2023, which is per se illegal and contrary to the order dated 01.05.2023 passed by the Hon'ble Supreme Court and requires to be quashed. It is further argued that the petitioners are waiting to undergo appointment process in the vacant post of teacher and lecturer 'E' & 'T' cadre through online counselling and till date, the respondents have not completed the process of Teacher Recruitment Examination-2023 for which the respondents had published advertisement for the direct recruitment of Teachers and Lecturers "E" & "T" Cadre for the vacant posts of Divisional cadre in Surguja and Bastar

Division. It has been contended that name of the petitioners are in the merit list and are eligible candidates to be considered for the selection procedures conducted by the respondents who have duly qualified with open competitive written exams to appear in appointment process through online counselling process. It has been further contended that the respondents were aware of the fact that the validity of panel/merit list is for only one year yet they have intentionally delayed the recruitment process without exercising on any policy decision or reasonableness and let the validity expire depriving the selected candidates from getting appointed to the vacant post. It has been submitted that sufficient time period has elapsed and till date no significant action has been initiated by the respondents, as such, the writ petitions be allowed and the respondent authorities be directed to call the petitioners for fresh counselling and to pass appropriate orders in respect of their appointment for the post of Assistant Teacher in their respective subjects.

11. On the other hand, learned State counsel vehemently opposes the submission made by learned counsel for the petitioners and submits that the petitioners could not be selected and called for counselling as they could not compete the cut-off marks which have been prescribed for selection to the post of Assistant Teachers in various subjects. Only for the sake of petitioners, who could not get qualified, counselling cannot be done again and again. He further submits that even after 5th round of counselling,

the petitioners could not qualify as they could not succeed in getting cut-off marks as prescribed by the respondent authorities and therefore, they could not be selected. It has been contended that the selection would not give a right to the petitioners to be appointed on the respective posts unless and until they qualify the cut-off marks as prescribed in the counselling. When the posts were lying vacant and the aspirants could not compete the cut-off marks as prescribed by the respondent authorities, the authorities have duly advertised and carry forwarded the same. As such, the petitioners were not able to make out a case for their appointment through counselling, which has been closed and cannot be opened again and again. It is finally contended that the petitioners are miserably failed to make out a case for reliefs sought by them, as such, all the writ petitions are liable to be dismissed in threshold.

- 12.** I have heard learned counsel for parties and perused the documents appended with all the writ petitions.
- 13.** From perusal of the documents annexed with the writ petitions, it is apparent that the petitioners have applied for the post of Assistant Teacher "E" and "T" cadre in their respective subjects. On the basis of their requisite qualification as well as the marks obtained by them, they were selected for counselling, however, in the counselling, they could not get the cut-off marks as prescribed by the respondent authorities. The cut-off marks were time to time revised, however, instead of that, the petitioners were not able to

be accommodated for the appointment of Assistant Teacher “E” and “T” cadre in their respective subjects till 5th round of counselling.

14. From perusal of the documents as well as the advertisement dated 04.05.2023, it is apparent that when the posts could not be fulfilled and were lying vacant for about more than three years, they were carried forward. At this juncture, it would be appropriate to consider the judgments relied upon by the respective counsels.
15. Learned counsel for the petitioners has relied upon a judgment passed by the Hon’ble Supreme Court in the matter of **Tej Prakash Pathak and others v. Rajasthan High Court and others** reported in **(2025) 2 SCC 1**, wherein it has been held in paras 25, 64, 65.1, 65.2 & 65.6 which read as under:-

“25. Candidates participating in a recruitment process have legitimate expectation that the process of selection will be fair and non-arbitrary. The basis of doctrine of legitimate expectation in public law is founded on the principles of fairness and non-arbitrariness in government dealings with individuals. It recognises that a public authority's promise or past conduct will give rise to a legitimate expectation. This doctrine is premised on the notion that public authorities, while performing their public duties, ought to

honour their promises or past practices. The legitimacy of an expectation can be inferred if it is rooted in law, custom, or established procedure.

64. Thus, in light of the decision in Shankarsan Dash, a candidate placed in the select list gets no indefeasible right to be appointed even if vacancies are available. Similar was the view taken by this Court in Subash Chander Marwaha where against 15 vacancies only top 7 from the select list were appointed. But there is a caveat. The State or its instrumentality cannot arbitrarily deny appointment to a selected candidate. Therefore, when a challenge is laid to State's action in respect of denying appointment to a selected candidate, the burden is on the State to justify its decision for not making appointment from the select list.

65.1. Recruitment process commences from the issuance of the advertisement calling for applications and ends with filling up of vacancies;

65.2. Eligibility criteria for being placed in the select list, notified at the commencement of

the recruitment process, cannot be changed midway through the recruitment process unless the extant Rules so permit, or the advertisement, which is not contrary to the extant Rules, so permit. Even if such change is permissible under the extant Rules or the advertisement, the change would have to meet the requirement of Article 14 of the Constitution and satisfy the test of non-arbitrariness;

65.6. Placement in the select list gives no indefeasible right to appointment. The State or its instrumentality for bona fide reasons may choose not to fill up the vacancies. However, if vacancies exist, the State or its instrumentality cannot arbitrarily deny appointment to a person within the zone of consideration in the select list.”

16. The Hon'ble Supreme Court in the matter of ***Mohd. Rashid v. Director, Local Bodies, New Secretariat and others*** reported in ***(2020) 2 SCC 582***, wherein it has been held in paras 13 & 14, which read as under:-

“13. The appellants who are aspirants for direct recruitment have no right for appointment merely because at one point of

time the vacancies were advertised. The candidates such as the appellants cannot claim any right of appointment merely for the reason that they responded to an advertisement published on 12-9-2013. Even after completion of the selection process, the candidates even on the merit list do not have any vested right to seek appointment only for the reason that their names appear on the merit list. In Shankarsan Dash v. Union of India, a Constitution Bench of this Court held that a candidate seeking appointment to a civil post cannot be regarded to have acquired an indefeasible right to appointment in such post merely because of the appearance of his name in the merit list. This Court held as under: (SCC pp. 50-51, para 7)

'7. It is not correct to say that if a number of vacancies are notified for appointment and adequate number of candidates are found fit, the successful candidates acquire an indefeasible right to be appointed which cannot be legitimately denied. Ordinarily the notification merely amounts to an invitation to qualified candidates to apply

for recruitment and on their selection they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the State is under no legal duty to fill up all or any of the vacancies. However, it does not mean that the State has the licence of acting in an arbitrary manner. The decision not to fill up the vacancies has to be taken bona fide for appropriate reasons. And if the vacancies or any of them are filled up, the State is bound to respect the comparative merit of the candidates, as reflected at the recruitment test. and no discrimination can be permitted. This correct position has been consistently followed by this Court, and we do not find any discordant note in the decisions in State of Haryana v. Subash Chander Marwaha: Neelima Shangla v. State of Haryana or Jatinder Kumar v. State of Punjab.'

14. *Since the selection process has not been completed and keeping in view the mandate of the statutory rules, we find that the appellants have no right to dispute the action*

of the municipal bodies to fill up the posts either by way of promotion or by deputation as such posts are being filled up in terms of mandate of the Rules. It is always open to the municipal bodies to fill up the vacant posts by way of direct recruitment after the posts by way of promotion and/or deputation quota are not filled up either on the basis of recruitment process already initiated or to be initiated afresh.”

17. Further, the Hon'ble Supreme Court in the matter of ***Commissioner of Police and Another v. Umesh Kumar*** reported in ***(2020) 10 SCC 448***, wherein vide paras 19, 20, 23, it has been held as under:-

“19. The real issue, however, is whether the respondents were entitled to a writ of mandamus. This would depend on whether they have a vested right of appointment. Clearly the answer to this must be in the negative. In Punjab SEB v. Malkiat Singh, this Court held that the mere inclusion of candidates in a selection list does not confer upon them a vested right to appointment. The Court held: (SCC p. 26, para 4)

“4.... the High Court committed an error in

proceeding on the basis that the respondent had got a vested right for appointment and that could not have been taken away by the subsequent change in the policy. It is settled law that mere inclusion of name of a candidate in the select list does not confer on such candidate any vested right to get an order of appointment. This position is made clear in para 7 of the Constitution Bench judgment of this Court in Shankarsan Dash v. Union of India 10 which reads: (SCC pp. 50-51)

7. It is not correct to say that if a number of vacancies are notified for appointment and adequate number of candidates are found fit, the successful candidates acquire an indefeasible right to be appointed which cannot be legitimately denied. Ordinarily the notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the State is under no legal duty to fill up all

or any of the vacancies. However, it does not mean that the State has the licence of acting in an arbitrary manner. The decision not to fill up the vacancies has to be taken bona fide for appropriate reasons. And if the vacancies or any of them are filled up, the State is bound to respect the comparative merit of the candidates, as reflected at the recruitment test, and no discrimination can be permitted. This correct position has been consistently followed by this Court, and we do not find any discordant note in the decisions in State of Haryana v. Subash Chander Marwaha, Neelima Shangla v. State of Haryana or Jatinder Kumar v. State of Punjab 13. (emphasis in original)

20. In the present case, after the name of the respondents appeared in the results declared on 17-7-2015, the process of recruitment was put in abeyance since the results were challenged before the Tribunal. The process of revising the results during the course of the recruitment was necessitated to align it in accordance with law. An Expert Committee

was specifically appointed following the institution of proceedings before the Tribunal. The report of the Expert Committee established errors in the answer-key, and thereafter a conscious decision was taken, after evaluating the report, to revise the results on 1-2-2016. In the fresh list which was drawn up, both the respondents have admittedly failed to fulfil the cut-off for the OBC category to which they belong. As the learned ASG submitted before the Court, as many as 228 candidates are ranked above Umesh Kumar on merit while 265 candidates stand above Satyendra Singh. The submission of Mr Khurshid that these are the only two candidates before this Court would not entitle them to a direction contrary to law since they had no vested right to appointment.

23. For the above reasons, we are of the view that the judgments delivered by the Delhi High Court on 6-12-2018 in Umesh Kumar v. States and on 19-12-2018 in Satyendra Singh v. States do not comport with law. The High Court has been manifestly

in error in issuing a mandamus to the appellants to appoint the respondents on the post of Constable (Executive) in Delhi Police. The direction was clearly contrary to law. The respondents have participated in the selection process and upon the declaration of the revised result, it has emerged before the Court that they have failed to obtain marks above the cut-off for the OBC category to which they belong.”

- 18.** Now, reverting back to the present writ petitions, when they are examined in the light of aforesaid pronouncements of the Hon'ble Supreme Court, it is ample clear that even after selection for the post of Assistant Teacher “E” and “T” cadre, the petitioners who had been succeeded in selection process and whose documents were verified, did not confer a vested right to be appointed. Admittedly, the petitioners, who are aspirants for recruitment to the post of Assistant Teachers “E” and “T” cadre, have failed to secure marks above the cut-off marks for the post of Assistant Teachers “E” and “T” cadre, therefore, it cannot be recorded to have acquired an indefeasible right to be appointed on the said posts merely on the ground that their names appear in the select merit list. The respondent authorities did their best in the process of selection as there were as many as 4 rounds of counselling, however, even in the 5th round of counselling, the petitioners could

not be appointed, as they could not cross the cut-off marks as prescribed by the respondent authorities. The judgment cited by the petitioners is also relevant to the aspect that the person who gets placed in the select list gets no indefeasible right to be appointed even if the vacancies are available. The rider would be that the State or its instrumentality cannot arbitrarily deny appointment to any selected candidate. However, in the present matters, there is a plausible reason for not appointing the petitioners to the post of Assistant Teacher "E" and "T" cadre as the petitioners could not compete the cut-off marks prescribed by the respondent authorities and in that view of the matter, even if posts are lying vacant, the petitioners cannot claim for appointment only on the basis of their selection as the selection is altogether a different thing from appointment.

- 19.** It is an admitted position that when the posts could not be fulfilled even after 5th round of counselling, the respondent authorities were having no way left except to carry forward those vacant posts for new advertisement which cannot be said to be faulted with. The respondent authorities/State has rightly issued an advertisement dated 04.05.2023 for appointment to the post of Assistant Teacher "E" and "T" cadre while carrying forward the remaining seats which could not be fulfilled in the earlier round of recruitment process, which cannot be interfered with by this Court.
- 20.** The Hon'ble Supreme Court, while dealing with the issue regarding exercise of interference under extraordinary jurisdiction

has held in the matter of ***M/s. South Indian Bank Ltd. & Ors. v. Naveen Mathew Philip and another*** reported in **[2023] LiveLaw (SC) 320**, which reads as under:-

“18. While doing so, we are conscious of the fact that the powers conferred under Article 226 of the Constitution of India are rather wide but are required to be exercised only in extraordinary circumstances in matters pertaining to proceedings and adjudicatory scheme qua a statute, more so in commercial matters involving a lender and a borrower, when the legislature has provided for a specific mechanism for appropriate redressal.”

- 21.** Looking into all the aforesaid aspects of the matter, this Court do not consider present to be fit cases for interfering with the acts of respondent authorities/State, in extraordinary writ jurisdiction under Article 226 of the Constitution of India.
- 22.** Accordingly, the present petitions, being devoid of merits are liable to be and are hereby dismissed.
- 23.** There shall be no order as to cost(s).

Sd/-
(Amitendra Kishore Prasad)
Judge