



2026:CGHC:26257

NAFR**HIGH COURT of CHHATTISGARH AT BILASPUR****WPS No. 4107 of 2022**

Shashi Kiran Jaiswal W/o Shri Rajesh Kumar Sinha, Aged About 33 Years R/o C/o Bharat Verma, Satyam Vihar Colony, Street No. 4, Verma Property Dealers, Near Vaishnavi Silai Centre, Mahadevghat Road, Raipura, District : Raipur, Chhattisgarh.

... Petitioner**versus**

- 1** - State of Chhattisgarh, Through Its Principal Secretary Department of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District : Raipur, Chhattisgarh.
- 2** - Director, Directorate of Public Instruction, Department of School Education, Indrawati Bhawan, Block-C, 1st Floor, Atal Nagar, Nawa Raipur, Raipur (Chhattisgarh).
- 3** - Joint Director, Directorate of Public Instruction, Department of School Education Indrawati Bhawan, Block C, 1st Floor, Atal Nagar, Nawa Raipur, Raipur (Chhattisgarh).
- 4** - Deputy Director, Directorate of Public Instruction, Department of School Education Indrawati Bhawan, Block C, 1st Floor, Atal Nagar, Nawa Raipur, Raipur (Chhattisgarh).
- 5** - District Education officer, Dhamtari, District : Dhamtari, Chhattisgarh.

... Respondent(s)

For Petitioner	: Ms. Naushina Afrin Ali, Senior Advocate alongwith Mr. Topilal Bareth, Advocate
For	: Mr. Anil S. Pandey, Government Advocate

Respondent(s)/State

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

29/06/2026

1. The petitioner has filed this petition seeking the following relief(s):-

"10.1 That, this Hon'ble Court may be pleased to call for the entire records of the case for its kind perusal.

10.2. That, the Hon'ble Court may kindly be pleased to issue an appropriate writ/order/direction and be pleased to quash the impugned order/communication dated 31.05.2022 passed by the respondent No. 4 (Annexure P/1).

10.2. That, the Hon'ble Court may kindly be pleased to issue an appropriate writ/order/direction and be pleased to direct the respondent authorities to consider the case of the petitioner for appointment on the Post of Assistant Teacher (Science) by including her name in the next list of document verification.

10.3. That, any other relief(s) which the Hon'ble Court deems fit & proper may kindly be granted in favour of the petitioner."

2. Brief facts of the present case, are that the petitioner applied for the post of Assistant Teacher (Science) pursuant to the advertisement dated 09.03.2019 issued for filling up vacant posts of Teachers, Lecturers, Assistant Teachers and Laboratory Assistants. The petitioner participated in the recruitment process and secured 80.102 marks out of 150 marks. Document verification was scheduled by respondent No.5 on 11.03.2022. However, on the very same date, a communication

was made by respondent No.5 and, therefore, the petitioner could not appear before the authority concerned.

3. Ms. Naushina Afrin Ali, learned Senior Advocate appearing for the petitioner would submit that the advertisement did not prescribe any mode of communication regarding the date of counselling or the date of verification of documents. She would draw attention to the circular issued by the State Government dated 15.09.2020, which provides that the selected candidate shall be informed about the date of verification of documents through Registered Post and such communication shall be issued at least 20 days prior to the scheduled date of verification. She would further submit that according to the said circular, a candidate who fails to participate in the document verification/counselling process shall be afforded to make a representation before the authority concerned, which shall be considered by the said authority and a fresh date will be given. She would contend that pursuant to the interim order dated 29.06.2022, one post of Assistant Teacher (Science) T-Cadre, Dhamtari in the OBC category of the concerned district has been kept vacant. It is argued that a representation was made by the petitioner but same has been rejected by the Deputy Director, Public Instruction, vide order dated 31.05.2022, without assigning reasons.
4. Learned Senior Advocate would contend that the date fixed for verification of documents was 11.03.2022 and the notice was also issued on the very same date; thus, the action on the part of respondent No.5 is illegal, arbitrary and contrary to the mandate of the circular dated 15.09.2020; thus, she would pray to allow the petition.
5. On the other hand, learned State Counsel would oppose the submissions made on behalf of the petitioner and submit that information with regard to the selection process was uploaded on the website of the Directorate of Public Instruction, Department of School

Education, therefore, the stand taken by the petitioner is misconceived. He would submit that the petitioner ought to have inquired about the date of verification of documents through the said portal.

6. It is also argued that the petitioner ought to have submitted a representation before the respondent authorities for redressal of her grievance instead of directly approaching this Court. An application was moved before respondent No.2 on 06.05.2022, wherein it was stated that due to ill health she could not ascertain the date of verification of documents; thus, stand taken by the petitioner is contradictory to said letter. He would submit that the petition deserves to be dismissed.
7. I have heard learned counsel for the parties and perused the documents available on file.
8. It is not in dispute that the date fixed for verification of documents was 11.03.2022 and the communication regarding the same was also issued on that very date. Consequently, the petitioner could not participate in the verification process.
9. Perusal of the advertisement would show that there was no instruction to ascertain the date of counselling or verification of documents through the web portal. The circular issued by the State Government on 15.09.2020, particularly Clause-4, specifically provides that the candidate shall be informed about the date of verification of documents through Registered Post and such communication shall be issued at least 20 days prior to the scheduled date of verification.
10. In the present case, communication was made on the very date fixed for verification, i.e., 11.03.2022, therefore, the action on the part of respondent No.5 appears to be arbitrary and illegal.
11. Having considered the facts of the present case and the rival contentions made by the parties, particularly the contents of the circular dated 15.09.2020, respondent No.3 was under an obligation to communicate to the petitioner the date of verification of documents

through Registered Post at least 20 days prior to the scheduled date, but the respondents failed to do so; thus, the order Annexure P/1 is hereby **quashed**.

12. The petition stands allowed.

13. Respondent No.5 is directed to consider the case of the petitioner for appointment against the post of Assistant Teacher (Science) as per the preference given by the petitioner.

14. The entire exercise shall be completed within a period of 120 days from the date of receipt of a copy of this order.

Sd/-

Rakesh Mohan Pandey

JUDGE

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