



CGHC010325282026



2026:CGHC:37305

AFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6260 of 2026**

- 1 - Vishnu Ditya Raj S/o Ajay Raj Aged About 29 Years R/o Rest House Road, Ramanujganj, District - Balrampur Ramanujganj (C.G.)**
- 2 - Alok Kumar Ghosh, S/o Uttam Ghosh, Aged About 27 Years R/o Krishna Nagar, Belgahna, District - Bilaspur (C.G.)**
- 3 - Vishal Tripathi, S/o Raj Kishore Tripathi, Aged About 32 Years R/o High School Road, Near Company Bazar, Ambikapur, District - Sarguja (C.G.)**
- 4 - Ritwik Sharma, S/o Gyan Prakash Sharma, Aged About 31 Years R/o Village - Kapu, District - Raigarh (C.G.)**
- 5 - Chandrahas Verma S/o Shyamdhara Verma, Aged About 29 Years R/o Mahaaveer Chowk, Village - Ghorbhatti, District - Raipur (C.G.)**
- 6 - Akash Verma, S/o Prem Narayan Verma, Aged About 34 Years R/o House No. 223 Mill Chahal, B N C Mill, Baldev Bagh, Ward No. 16, District - Rajnandgaon (C.G.)**
- 7 - Devanand Sahu, S/o Jeewanlal Sahu, Aged About 28 Years R/o Sai Nagar, Urla, District - Durg (C.G.)**
- 8 - Deepak Sahu, S/o Peetambar Sahu, Aged About 29 Years R/o Civil**

Lines, Parsabhadar Road Nahar Ke Aage, District - Balodabazar (C.G.)

9 - Chetna Jangde, D/o Hetram Jangde, Aged About 25 Years R/o Adarsh Nagar, Mowa District - Raipur (C.G.)

10 - Nilesh Kumar, S/o Mohan Lal Aged About 22 Years R/o Village Mohtara Teli, P. O. Chandeli, Lormi District - Mungeli (C.G.)

11 - Sakshi Singh, D/o Maniyar Singh, Aged About 25 Years R/o Village - Rampur, House No. 45 Ward No. 20, Tehsil - Baikunthpur, District - Koriya (C.G.)

12 - Khushabu, D/o Keshav Ram Aged About 27 Years R/o Village Jamrao, P. O. Jheet District - Durg (C.G.)

13 - Neelam Nirmalkar, D/o Ramkumar Nirmalkar, Aged About 23 Years R/o Torwa, District - Bilaspur (C.G.)

14 - Mukesh K. Shau, S/o Jani Ram Sahu, Aged About 25 Years R/o Village Lilapur, P. O. Ramhepur District - Mungeli (C.G.)

15 - Rahul Sahu, S/o Ishwari K. Sahu, Aged About 28 Years R/o 310/9, Jayram Gali, Shankarpur, Ward No. 9, District - Rajnandgaon (C.G.)

16 - Nitesh, S/o Parthnath Aged About 29 Years R/o Village Barda, P. O. Ahilda District - Balodabazar (C.G.)

17 - Rakesh Naik, S/o Hemanand Aged About 29 Years R/o House No. 115, Ward No. 3, Jagannath Mandir Gali, Aghariyapara, Baramkela District - Sarangarh (C.G.)

18 - Ajay Pradhan, S/o Pustam Pradhan, Aged About 29 Years R/o Ward Number 14, Dipapara, Sariya, District - Sarangarh- Bilaigarh (C.G.)

19 - Kusumlata Dhruw, D/o Kamlakant Dhruw, Aged About 26 Years R/o Alka Avenue, Uslapur, District - Bilaspur (C.G.)

20 - Ratna Naidu, D/o Sanjeev K. Naidu, Aged About 26 Years R/o S F / C -15 Lokmanya Tilak Society Gol Chowk, Rohinipuram D D U, District - Raipur (C.G.)

21 - Kirti, D/o Dev Singh Aged About 26 Years R/o House No. 97, Ward No. 19, Ambedkar Ward, Subhash Chowk, Dalli Rajhara, District - Balod (C.G.)

22 - Shekhar Kumar, S/o Duleshwar Aged About 34 Years R/o House 67 Ward 10 Near Kabeer Mandir Khapri Kalar, Block Khairagarh, District - Rajnandgaon (C.G.)

23 - Namrata Korram, D/o Ramdev Korram, Aged About 27 Years R/o Village Bagod, P. O. Largaon Markatola, District - Kanker (C.G.)

24 - Yash Kumar, S/o Kamta Prasad, Aged About 27 Years R/o Village Hasda, Tehsil Magarlod, District - Dhamtari (C.G.)

25 - Vinay Kumar, S/o Komal Prasad, Aged About 29 Years R/o Village - Mohtara Kala, P. O. Kolegaon Block - Pandariya, Dist. - Kabirdham (C.G.)

26 - Sirin Painkra, D/o Anirudh Sai, Aged About 28 Years R/o Village Baro, P. O. Konpara District - Jashpur (C.G.)

27 - Bhuneshwari Lilhare, D/o Ashok Lilhare, Aged About 30 Years R/o Village Chhipa, P. O. Musara Tehsil- Dongargarh District - Rajnandgaon (C.G.)

28 - Ritu Patel, D/o Yogendra K. Patel, Aged About 28 Years R/o Village Dhanagar, District - Raigarh (C.G.)

29 - Teerth Raj, S/o Subhash Chand, Aged About 31 Years R/o Gaind Singh Ward, No. 13, Narharpur District - Kanker (C.G.)

30 - Khemraj, S/o Rajkumar Aged About 31 Years R/o Paschimpara, Village Rajpur Block- Nagri, District - Dhamtari (C.G.)

31 - Tripti Garhewal, D/o Lt. Dev K. Garhewal, Aged About 24 Years R/o Sarkanda, District - Bilaspur (C.G.)

32 - Ayush Gupta, S/o Vinod Gupta Aged About 28 Years R/o Tehsil Chowk, Ambikapur Road Bagicha, District - Jashpur (C.G.)

33 - Nidhee Yadav, D/o B. R. Yadav Aged About 28 Years R/o 239, Ward No. 12, Petrol Pump Pharasgaon District - Kondagaon (C.G.)

34 - Pallvi Sharma, D/o Avdhesh Sharma, Aged About 26 Years R/o Kaushalya Dham, Chandkhuri, Mandir Hasaud, District - Raipur (C.G.)

35 - Chuneswar Kumar S/o Suresh Kumar, Aged About 25 Years R/o 57, Bhengari District - Balod (C.G.)

36 - Vinay K. Paikra, S/o Jaan Singh Paikra, Aged About 29 Years R/o Village Chhatauna, Tehsil Kota, District - Bilaspur (C.G.)

37 - Darbar Singh, S/o Prem Singh Aged About 29 Years R/o Village Umariya Dadar, District - Bilaspur (C.G.)

38 - Hitendra Kumar, S/o Santosh Lal, Aged About 30 Years R/o Village Patgawan, Tehsil - Pendra District - Gaurela Pendra Marwahi (C.G.)

39 - Sunil Jaiswal S/o Radhelal Jaiswal, Aged About 30 Years R/o Daw Niwas, Ward No. - 14 Suchitra Vihar Maharshi School Road Mangla, District - Bilaspur (C.G.)

40 - Ravi Kumar, S/o Shreeram Aged About 32 Years R/o Village Kosamtara District - Mungli (C.G.)

41 - Om Prakash, S/o Beer Singh, Aged About 28 Years R/o Village Bargawan, P. O. Majhgawan Tehsil - Belgahna, District - Bilaspur (C.G.)

42 - Saurabh Madhukar, S/o Basantlal, Aged About 28 Years R/o Tulsi Mod, Village- Khairtal P. O. Misda, Block - Nawagarh District - Janjgir - Champa (C.G.)

43 - Mithlesh, S/o Ramdayal Aged About 29 Years R/o Village Rampur, P. O. Beltara District - Bilaspur (C.G.)

44 - Faleshwar, S/o Uttam K. Dadsena, Aged About 31 Years R/o Village Bundeli, Tehsil - Pithora District - Mahasamund (C.G.)

45 - Yugendra K. Sahu, S/o Tikaram Sahu, Aged About 28 Years R/o 381, Ward No. 15, Bazar Road, Bilaigarh District - Sarangarh - Bilaigarh (C.G.)

46 - Madhuri Nagesh D/o G.R. Nagesh Aged About 30 Years R/o H 24/29, Civil Lines, Kasaridih, District- Durg, (C.G.)

47 - Kalpana Kosma D/o H.R. Kosma Aged About 31 Years R/o Ward - 42 Street - 02, Near Infront Of Mirza Academy, Subhash Nagar, District- Durg, (C.G.)

48 - Kusum D/o Horilal Kanwar Aged About 30 Years R/o Kailash Vihar, District- Korba, (C.G.)

49 - K. Shraddha Rao D/o K. Rajesh Rao Aged About 26 Years R/o Kapil Nagar, Sarkanda, District- Bilaspur, (C.G.)

50 - Naresh K. Yadav S/o Shiv Yadav Aged About 27 Years R/o Village

Belsara, P.O. Pali, Block- Takhatpur, District- Bilaspur, (C.G.)

51 - Harsh Jaiswal S/o Ramadhar Jaiswal Aged About 26 Years R/o Bhagwan Gudi, Bamhanidih, District- Jangir-Champa, (C.G.)

52 - Satish Kumar S/o Geeta Ram Aged About 32 Years R/o Village Kudkai, Tehsil- Pendra, District- Gaurela Pendra Marwahi, (C.G.)

53 - Jagadish Kumar S/o Rameshwar Prasad Aged About 32 Years R/o Village- Tukupakhana, P.O. Diwanpur, Tehsil- Pathalgaon, District- Jashpur, (C.G.)

54 - Jitendra Jaiswal S/o Jalesh Jaiswal Aged About 29 Years R/o Village- Marka, District- Kabirdham, (C.G.)

55 - Abhay Kumar S/o Jagdish Prasad Aged About 29 Years R/o H. N. 66, Ward No. 03, Post / Village- Pota, Block- Malkharoda, District- Sakti, (C.G.)

56 - Awadhesh Kumar S/o Sonsay Ram Aged About 30 Years R/o Village- Chirai, P.O. Durgapur, Tehsil- Shankargarh, District- Balrampur, (C.G.)

57 - Ghanshyam S/o Sant Ram Sahu Aged About 30 Years R/o 311, Jenjra, P.O. Sursabandha, Rajim, District- Gariyaband, (C.G.)

58 - Dhanendra Kumar S/o Sevak Ram Aged About 32 Years R/o Village- Bagoud, District- Dhamtari, (C.G.)

59 - Ashish Kumar S/o Rajkapoor Aged About 34 Years R/o Village- Mokha, Block- Gurur, District- Balod, (C.G.)

60 - Kiran Kumar S/o Kalyan Singh Aged About 32 Years R/o Village- Tendumuda, P.O.- Bagrar Tehsil- Marwahi, District- Bilaspur, (C.G.)

61 - Shailendra Pal S/o Sukhdev Pal Aged About 27 Years R/o Village- Dhamani, P.O. Chakarbhata, District- Bilaspur, (C.G.)

62 - Gajendra Kumar S/o Ramchandra Aged About 34 Years R/o Village- Dongariya Khurd, P.O. Bharewa Puran, Tehsil- Kunda, District- Kabirdham, (C.G.)

63 - Somendra Singh S/o Padum Dev Aged About 30 Years R/o Village- Koteya, P.O. Darima, District- Sarguja, (C.G.)

64 - Ravindra Kaushik S/o Jivan Lal Kaushik Aged About 27 Years R/o Mahatma Gandhi Ward No. 5, Achankpur, Bodari, District- Bilaspur, (C.G.)

65 - Chandrahas S/o Ravi Aged About 25 Years R/o Shanti Chowk, Village- Chatoud, District- Raipur, (C.G.)

... Petitioner(s)

versus

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

2 - Directorate Of Public Instruction, Through Its Director, Indravati Bhawan, Atal Nagar, Naya Raipur, District - Raipur, C.G.

3 - Chhattisgarh Staff Selection Board (Formerly - CGVYAPAM), Thorough Its Chairperson, Vyapam Bhawan, North, Block, Sector - 19, Atal Nagar, Naya Raipur, District - Raipur Chhattisgarh.

4 - Exam Controller, Chhattisgarh Staff Selection Board (Formerly - CGVYAPAM), Vyapam Bhawan, North, Block, Sector - 19, Atal Nagar, Naya Raipur, District - Raipur Chhattisgarh.

... Respondents

(Cause title is taken from Case Information System)

For Petitioners	: Mr. Mateen Siddiqui, Senior Advocate alongwith Mr. Ishan Saluja, Advocate
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For Respondents/ State	: Mr. Vivek Verma, Govt. Advocate
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For Respondents No.3 & 4:	Mr. Avinash Singh, Advocate
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(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)**Order on Board****20/08/2026**

1. By the present writ petition, the petitioners are seeking for the following reliefs :-

“10.1 That this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction directing the respondent authorities to permit the petitioners who otherwise fulfill the eligibility conditions for the post of Teacher (Agriculture), to participate in the ongoing recruitment process notwithstanding their presently not possessing the qualification of B.Ed., by granting them a one-time transitional relaxation in respect of the said qualification.

10.2 That this Hon'ble Court may kindly be pleased to direct the respondent authorities to accept and process the applications of the petitioners for the post of Teacher (Agriculture) and permit them to appear in the recruitment examination, subject to the condition that the petitioners shall acquire the prescribed B.Ed. qualification within a reasonable period prescribed by this Hon'ble Court or the

respondent authorities, and subject to such further conditions as may be deemed fit and proper.

10.3 That this Hon'ble Court may kindly be pleased to direct that the petitioners, if otherwise found successful and selected in the recruitment process, shall not be denied appointment solely on the ground of not possessing the B.Ed. qualification as on the last date of submission of the application, provided that they acquire and produce the requisite B.Ed. qualification within the period prescribed by this Hon'ble Court or the respondent authorities.

10.4 That, in alternative this Hon'ble Court may kindly be pleased to quash the impugned advertisement issued in August 2026 to the extent for the post of Teacher (Agriculture) E-Cadre and T-Cadre. (Annexure P/1).

10.5 That, this Hon'ble Court may graciously be pleased to pass such further orders or directions as may be deemed fit and proper in the facts and circumstances of the case.”

2. (a) Learned Senior Counsel appearing for the petitioners submits that the petitioners are graduate candidates aspiring to participate in the ongoing recruitment process for the post of Teacher (Agriculture). It is submitted that, under the eligibility conditions prevailing since 2019, possession of B.Ed. qualification was not prescribed as a mandatory qualification for the said post.

Subsequently, pursuant to the order passed by the Division Bench in ***WPS No. 3309/2024 (Ashokanand Patel & Ors. vs. State of Chhattisgarh & Ors.)***, decided on 05.02.2025, the State Government issued Gazette Notification dated 13.02.2026, whereby the requirement of B.Ed. qualification was made mandatory. Learned Senior Counsel submits that the petitioners are not questioning the authority of the State to prescribe such qualification, but their limited grievance is that the newly introduced requirement has been applied to the present recruitment process without providing any reasonable transitional period to candidates who were eligible under the earlier regime.

(b) Learned Senior counsel further submits that the short advertisement was issued on 28.07.2026 and the last date for submission of applications is 02.09.2026, leaving only a short period after introduction of the new qualification requirement. Since the B.Ed. course itself requires two academic years for completion, the petitioners could not reasonably acquire the qualification within the intervening period. It is, therefore, prayed that, as a one-time transitional measure, the petitioners may be permitted to participate in the recruitment process without presently possessing the B.Ed. qualification, subject to their acquiring the requisite qualification within such reasonable period as may be prescribed by this Court or the respondents, and that their candidature/appointment may be made subject to fulfilment of the said condition.

3. *Per contra*, learned State counsel as well as learned counsel appearing for respondent Nos. 3 and 4 oppose the prayer made by the petitioners and submit that the petitioners cannot claim any relaxation from the qualification prescribed under the applicable Rules and NCTE Regulations. By referring to the decision rendered by the Division Bench of this Court in ***Ashokanand Patel (Supra)***, learned State counsel submits that the earlier exemption from the requirement of B.Ed. qualification for the post of Teacher (Agriculture) was declared unconstitutional and *ultra vires*, and the State Government was directed to include B.Ed. qualification for appointment to the said post in accordance with the NCTE Regulations, 2014. It is, therefore, submitted that no one-time transitional relaxation, as sought by the petitioners, can be granted and writ petition deserves to be dismissed.
4. I have heard learned counsel for the parties and perused the documents available on record.
5. The controversy involved in the present writ petition is essentially with regard to the requirement of B.Ed. qualification for appointment to the post of Teacher (Agriculture). The said issue has already been considered and decided by the Division Bench of this Court in ***Ashokanand Patel (Supra)***, wherein the earlier exemption granted under the Rules of 2019 was declared unconstitutional and *ultra vires* and the State Government was directed to include the requisite qualification of B.Ed. in accordance with the NCTE Regulations, 2014. The relevant portion of the said order reads as under :-

“23. In view of by the above discussions, the impugned provisions of the Rules of 2019 and also in view of the law laid down by the Hon'ble Supreme Court as well as the various High Courts, the impugned part of the notification dated 05.03.2019 issued by the State Government of Chhattisgarh by the Rules of 2019, exempting the necessary qualification of B.Ed./D.Ed./T.E.T. for the Teachers of Agriculture subject appended in column No.8 of Annexure-1 of Rules of 2019 is hereby declared as unconstitutional and ultra vires and declared that the candidates, who possessed the B.Ed. degree are eligible for appointment on the post of Teacher (Agriculture) as per the regulations 2014 framed by the NCTE.

24. The State Government of Chhattisgarh is directed to include the requisite qualification of B.Ed. for appointment on the post of Teacher (Agriculture) and to proceed in accordance with the provisions of regulations of 2014.

25. The writ petition is **allowed** to the extent indicated hereinabove. No order as to costs.”

6. It is not the case of the petitioners that the requirement of B.Ed. qualification prescribed for the post is itself illegal or that the State Government lacks the authority to prescribe such qualification. Their grievance is confined to seeking a one-time transitional

relaxation on the ground that they were eligible under the earlier regime and could not acquire the B.Ed. qualification within the short period preceding the present recruitment process.

7. However, once the earlier exemption from the prescribed qualification has been declared unconstitutional and the State Government has been directed to prescribe B.Ed. qualification in accordance with the NCTE Regulations, 2014, the petitioners cannot claim a right to participate in the recruitment process without possessing the qualification prescribed under the prevailing Rules. Granting such relaxation by judicial order would, in effect, amount to creating an exception to the qualification which has been prescribed pursuant to the aforesaid order of the Division Bench.
8. It is the well settled proposition of law that fixing eligibility criteria, minimum qualifications, and service rules belongs strictly to the rule-making authority or the State Government and the Courts cannot substitute their own views or waive mandatory job criteria to accommodate individual candidates. Writ jurisdiction under Article 226 only examines if the decision-making process is arbitrary, *mala fide*, or unconstitutional, rather than relaxing standard qualifications.
9. In view of the aforesaid legal position and considering the binding nature of the decision rendered by the Division Bench of this Court in ***Ashokanand Patel (Supra)***, this Court is not inclined to grant the one-time transitional relaxation sought by the petitioners.

10. Accordingly, the writ petition *sans* merit, deserves to be and is hereby **dismissed** at the motion stage itself.

Sd/-
(BIBHU DATTA GURU)
Judge

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Head Note

Fixing eligibility criteria, minimum qualifications, and service rules belongs strictly to the rule-making authority and the Courts cannot substitute their own views or waive mandatory job criteria to accommodate individual candidates.