



03/04/08

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**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WRIT PETITION (C) NO.1569/2008**

**PETITIONERS**

1. Kuber Padhan, S/o. Ramia Padhan, aged about 24 years, R/o. Pt. Harishankar Shiksha Mahavidyalaya Janjgir, District, Janjgir-Champa (C.G.)
2. Deepak Beck, S/o, John Beck, Aged about 26 years, R/o. Pt. Harishankar Shiksha Mahavidyalaya Janjgir, District, Janjgir-Champa (C.G.)
3. Gouranga Sahu, S/o. Bihari Sahu, aged about 22 years, R/o. Pt. Harishankar Shiksha Mahavidyalaya Janjgir, District, Janjgir-Champa (C.G.)

Vs.

**RESPONDENTS**

1. State of Chhattisgarh, through: Secretary, School Education, D.K.S. Bhawan, Raipur, District-Raipur (C.G.)
2. Director, State Council for Education Research & Training, Shankar Nagar, Raipur (C.G.)
3. Guru Ghasidas University, Bilaspur (CG) through: its Registrar, Guru Ghasidas University, Bilaspur (C.G.)
4. National Council for Teacher Education-A statutory body Government of India, Western Region Committee, through: its Regional Director, Manas Bhawan, Shyamla Hills, Bhopal (Madhya Pradesh)
5. Chhattisgarh Professional Examination Board, through: its Chairman, Chhattisgarh Professional Examination Board, C/168, Taigore Nagar, Raipur District Raipur (C.G.)
6. Deputy Registrar (Examination), Guru Ghasidas University, Bilaspur (C.G.)
7. Pt. Harishankar Education College, Janjgir, through: its Principal, Pt. Harishankar Education College, Janjgir- District Janjgir-Champa (CG)

**WRIT PETITION (C) NO.1568/2008**

**PETITIONER**

Sachidananda Das, S/o Shri Satyanarayan Das, aged about 30 years, Caste Category-OBC, R/o Village Katapali, Via-Bardol, Distt. Bargar (Orissa)

Vs.

**RESPONDENTS**

1. State of Chhattisgarh, through: Secretary, School Education, D.K.S. Bhawan, Raipur, District-Raipur (C.G.)
2. The Director, Chhattisgarh State Council for Educational Research and Training, Shailendra Nagar, Raipur (C.G.)
3. Guru Ghasidas University, Bilaspur (CG) through: The Registrar, Guru Ghasidas University, Bilaspur (C.G.)
4. Dr. C.V. Raman College of Education, Kargi Road,



Kota, Bilaspur (C.G.)

5. Chhattisgarh Professional Examination Board, through: its Chairman, Chhattisgarh Professional Examination Board, C/168, Tagore Nagar, Raipur District Raipur (C.G.)

**Writ Petition (C) No.1599/2008**

**PETITIONER**

Manoj Kumar Mahto Son of Shri Shyam Sunder Mahto, aged about 24 years, Presently residing at C/o Shri J.N. Mahto, Bhartiya Nagar, Gali No.5. Bilaspur (C.G.)

Vs

**RESPONDENTS**

1. State of Chhattisgarh, through the Secretary, Department of School Education, D.K.S. Bhawan, Mantralaya, Raipur (C.G.)
2. Guru Ghasi Das University, Bilaspur (C.G.) through the Registrar, Guru Ghasi Das University, Bilaspur (C.G.)
3. The Principal, Rahaud Shikshan Samiti Rahaud (Education College), Rahaud, District, Janjgir-Champa (C.G.)
4. The Director, Chhattisgarh State Council for Educational Research and Training, Shailendra Nagar, Raipur (C.G.)
5. Chhattisgarh Professional Examination Board- Through it Chairman, Chhattisgarh Professional Examination Board, C/168, Tagore Nagar, Raipur (C.G.)

**Writ Petition (C) No.1594/2008**

**PETITIONER**

Binay Kumar Agarwal, S/o Late Shri Ravindra Agarwal, aged about 27 years, Caste Category OBC, R/o Village Gola, P.S.-Gola, Distt. Ramgarh (Jharkhand)

Vs.

**RESPONDENTS**

1. State of Chhattisgarh, through the Secretary, Department of School Education, D.K.S. Bhawan, Mantralaya, Raipur (C.G.)
2. The Director, Chhattisgarh State Council for Educational Research and Training, Shailendra Nagar, Raipur (C.G.)
3. Guru Ghasi Das University, through the Registrar, Guru Ghasi Das University, Bilaspur (C.G.)
4. Dr. Moulana Azad College of Education, Subhash Nagar, Bilaspur (C.G.)
5. Chhattisgarh Professional Examination Board- Through it Chairman, Chhattisgarh Professional Examination Board, C/168, Tagore Nagar, Raipur (C.G.)



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**Writ Petition (C) No.1623/2008****PETITIONERS**

1. Anthres Kullu, S/o. Shri Joachim Kullu, aged about 31 years, R/o Village Dhingur Pani, P.S.-Dhingur Pani, Distt. Simdega (Jharkhand)
2. Anuj Tigga, S/o. Tricuis Tigga, aged about 29 years, R/o Village-Banari, P.S.-Bisunpur, Distt Gumla (Jharkhand)
3. Anthres Minj, S/o. Policarp Minj, aged about 24 years, R/o Village-Ringnitoli, Post-Sikri, P.S.-Dumari, Distt. Gumla (Jharkhand)

**Versus****RESPONDENTS**

1. State of Chhattisgarh, through Secretary, Department of School Education, D.K.S. Bhavan, Mantralaya, Raipur (C.G.)
2. The Director, Chhattisgarh State Council for Educational Research and Training, Shailendra Nagar, Raipur (C.G.)
3. Guru Ghasi Das University, through the Registrar, Guru Ghasi Das University, Bilaspur (C.G.)
4. Shri Agrasen Women's College, Darri Road Korba, Distt: Kkorba (C.G.)
5. Chhattisgarh Professional Examination Board- Through it Chairman, Chhattisgarh Professional Examination Board, C/168, Tagore Nagar, Raipur.

**Writ Petition (C) No.1584/2008****PETITIONERS**

1. Kailashi Chandra, S/o. Shri Harjiram, aged about 28 years, R/o Viklage Gauredi Karna, District-Nagour (Rajasthan)
2. Birbal Singh, S/o Shri Jagmal Singh, aged about 28 years, R/o Village- Dhandhan, District-Sikar (Rajasthan)
3. Suresh Kumar Puniya, S/o Shri Kurda Ram Puniya, aged about 22 years, R/o. Village- Dhandhan, Disdtrict- Sikar (Rajasthan)
4. Ashok Paliya, S/o. Shri Anda Ram, aged about 28 years, R/o. Village-post- Kheduli, Tehsil-Medta, District- Nagour (Rajasthan)

Vs

**RESPONDENTS**

1. State of Chhattisgarh, through Secretary, School Education Department, D.K.S. Bhavan, Mantralaya, Raipur (C.G.)
2. Guru Ghasi Das University, through its Registrar, Bilaspur (C.G.)
3. Director, State Education Research & Training Council, Shankar Nagar, Raipur (C.G.)
4. Lal Bahadur Shashtri B.Ed. College, Baloda, District Janjgir-Champa (C.G.)
5. National Council for Teacher Education-A Statutory body of Government of India, Western Region Committee- through its Regional Director, Manas Bhavan, Shyamla Hills, Bhopal (MP)



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**Present:**

Mr. Manoj Paranjpe, Advocate for the petitioners in W.P. [c] No.1569/08.

Mr. A.N. Pandey, Advocate for the petitioners in W.P. [c] Nos.1568/08, 1594/08 & 1623/08.

Mr. Manoj Paranjpe, Advocate for the petitioners in W.P. [c] No.1584/08.

Mrs. Nisha Chaturvedi, Advocate for the petitioners in W.P. [c] No.1599/08.

Mr. Vinay Harit, Dy. Advocate General for the State.

Mr. Ashish Shrivastava, Advocate for respondent-Guru Ghasidas University, Bilaspur.

Mrs. Renu Kochar, Advocate for respondent-National Council for Teacher Education, Bhopal.

Mrs. Hamida Siddique, Advocate for respondent-Chhattisgarh Professional Examination Board, Raipur.

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**ORAL ORDER**

(Passed on 31.3.2008)

**Per Dhirendra Mishra, J:**

1. Heard.
2. The common question involved in these petitions are that the petitioners, who belong to scheduled caste, scheduled tribe and other backward categories and residents of other States, are pursuing their studies in B.Ed. course in different educational colleges of the State. They have been admitted in the said course after successfully participated in the common entrance examination conducted by the State Council for Education Research and Training (for short 'SCERT') through Chhattisgarh Professional Examination Board and they were allowed relaxation of 5% in the minimum marks required in the prequalification examination. However, the respondent-Guru Ghasidas University, Bilaspur (for short 'University') has refused to issue admission cards to the petitioners on the ground that their admission to the above course by allowing relaxation of 5% is illegal, as the petitioners are residents of other State and therefore, they are not entitled for relaxation on the ground that they belong to scheduled caste, scheduled tribe and other backwards classes categories, as the same is available only to the candidates of the above categories who are residents of the State of Chhattisgarh.



3. Learned counsel for the petitioners submit that similar objection of Pt. Ravi Shankar Shukla University, Raipur in Writ Petition [c] No.7232/07 between Soni Rakhi Bek and others Vs. State of C.G. & others and other connected petitions has been decided by this Court vide order dated 28.3.2008 and these petitions may also be disposed in terms of the above order. This fact has not been disputed by learned counsel for the respondents.
4. In view of the order dated 28.3.2008 passed in Writ Petition [c] No.7232/07 between Soni Rakhi Bek and others Vs. State of C.G. and others, these writ petitions are also allowed and it is directed that:
- i. respondent-Guru Ghasidas University, Bilaspur shall not give effect to their decision communicated through their memo dated 1.3.2008 issued to the Principals of affiliated educational colleges regarding withholding of issuance of admission cards so far as it relates to the petitioners herein.
  - ii. It is further directed that if the petitioners are otherwise eligible to appear in the final examination, they shall be issued admission card for appearing in the final examination of B.Ed. course for the year 2007-08.
5. No order as costs.

Sd/-  
Dhirendra Mishra  
Judge

Roshan/-