
(2013) 09 MP CK 0093
In the Madhya Pradesh High Court
Case No : Writ Petition No. 14581 of 2013

Neeraj Kumar Tiwari

APPELLANT

Vs

State of M.P. and Others

RESPONDENT

Date of Decision : 10-09-2013

Acts Referred:

Citation : (2013) 09 MP CK 0093

Hon'ble Judges : R.S. Jha, J

Bench : Single Bench

Advocate : Rajneesh Pandey, the, for the Appellant; S.M. Lal, learned Govt. Advocate for the State, for the Respondent

Final Decision : Dismissed

Judgement

R.S. Jha, J.—Heard on the question of admission and interim relief. The petitioner, who is holder of B.Ed. Degree and had participated in the selection process for appointment on the post of Samvida Shala Shikshak Grade-III, has filed this petition stating that he has not been permitted to participate in the process of selection.

2. Having heard the learned counsel for the petitioner and after a perusal of the petition, it is observed on a statement to that effect being made by the learned counsel for the State, that similar petitions, wherein the petitioners had raised the same issue, have been dismissed by this Court with observations in the case of Sanyogita Thakur and Others Vs. State of M.P. and Others, , and without any observations in the case of Jai Prakash Narayan Dwivedi vs. State of M.P. & Ors. (W.P. No. 6129/2013 (S)) finally decided on 15-4-2013 and in the circumstances this petition being identical, the same is also dismissed.

3. The learned counsel appearing for the petitioner submits that in the case of Sanyogita Thakur (supra) this Court has made certain observations and, therefore, the same may also be made in the present petition. However, it is observed that the said observations had been made on an undertaking given by

the learned counsel appearing for the State/respondents in that case and as no such undertaking has been given in the present petition, the observations made by this Court in the case of Sanyogita Thakur (supra) while dismissing the claim of the petitioners, cannot be made in the present petition.

4. In view of the aforesaid, the petition filed by the petitioner is dismissed in terms of and for the same reasons, which may be read as a part of this order, as stated in the case of Jai Prakash Narayan Dwivedi (supra).

5. It is however, clarified that in case the relaxation is subsequently obtained by the State and it proceeds to undertake the process of appointment of B.Ed. candidates on posts that remain vacant the petitioner would be at liberty to take up fresh proceedings as and when cause of action arises. The petition stands dismissed accordingly.