

The High Court Of Madhya Pradesh

WP-17387-2020

(GARIMA ARYA AND OTHERS Vs THE REGISTRAR GENERAL)

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Jabalpur, Dated : 09-12-2020

Heard through Video Conferencing.]

Per: Vijay Kumar Shukla, J.

Shri Tushar Sannu and Shri Shubham Jain, learned counsel for the petitioners.

Shri Swapnil Ganguly, learned Deputy Advocate General for the respondent/State.

The present petition has been filed under Article 226 of the Constitution of India seeking a direction to the respondent to accept the application of the petitioners for the Civil Judge Class-2 (Entry Level) Exam-2019 (Phase II). The petitioners are law students of Campus Law Centre, Faculty of Law, University of Delhi and have appeared for final semester examination of LLB in the month of August, 2020. सत्यमेव जयते

The learned counsel for the petitioners submit that the respondent has issued an advertisement inviting application for the post of Civil Judge, Class-2. The date for submitting application started from 27.09.2020 since 12 pm and the last date was 05.11.2020 till 11:55 pm. Further the date for correction of mistake started from 10.11.2020 till 12.11.2020. The date of examination was not declared in the advertisement dated 05.09.2020. The case of the petitioner is that because of COVID-19 global pandemic, the result of the petitioners' final semester examination of LLB could not be declared before the cut off date and therefore, this Court may issue directions to the respondent to accept the form for the post of Civil Judge, Class-2 (Entry Level) Examination.

The essential qualification as per advertisement reads as under:

^*N% & vko';d vgrk – कोई भी व्यक्ति सिविल न्यायाधीश वर्ग-2 (प्रवेश सीधी भर्ती) के पद के लिए अर्ह तभी होगा जब कि वह –

(1)

(2) मान्यता प्राप्त विश्वविद्यालय से विधि स्नातक की उपाधि आवेदन करने की अंतिम तिथि तक प्राप्त कर ली हो और उसका अंतिम परीक्षा परिणाम घोषित हो चुका हो और उनके पास आवश्यक दस्तावेज उस दिन को मौजूद हों।”

As per condition No. छ (2), a candidate has to possess LLB degree on the last date of filing of the application for the examination. It was further provided that the result of final examination has already been declared and the candidate possess the essential documents in that regard on the said date.

In view of the essential qualifications required for the post, admittedly, the petitioners do not possess LLB degree on the last date of filling up of the form as per the advertisement and therefore, the petitioners do not have any right to appear in the Civil Judge, Class-2 (Entry Level) Exam-2019 (Phase-II) and therefore, the petition being devoid of merit and is hereby dismissed.

(SANJAY YADAV)
ACTING CHIEF JUSTICE

(VIJAY KUMAR SHUKLA)
JUDGE

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