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IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE  
HON'BLE SHRI JUSTICE RAVI MALIMATH,  
CHIEF JUSTICE

&  
HON'BLE SHRI JUSTICE VISHAL MISHRA  
ON THE 14<sup>th</sup> OF JULY, 2022

**WRIT PETITION No. 15432 of 2022**

**Between:-**

SNEHA DHUNDELE W/O PIYUSH SINGH  
DHUNDELE, AGED ABOUT 32 YEARS, H.NO. A/8,  
KANCHAGHAR STATION ROAD HOUSING  
BOARD COLONY JABALPUR, M.P. (MADHYA  
PRADESH)

.....PETITIONER

(BY SHRI SHASHANK SHEKHAR - SENIOR ADVOCATE WITH SHRI  
SAMRESH KATARE - ADVOCATE)

AND

HIGH COURT OF MADHYA PRADESH THROUGH  
ITS REGISTRAR GENERAL JABALPUR, M.P.  
482001 (MADHYA PRADESH)

.....RESPONDENTS

(BY SHRI ASHISH SHROTI - ADVOCATE)

.....  
*This petition coming on for admission this day, Hon'ble Shri Justice  
Ravi Malimath, Chief Justice passed the following:*

**ORDER**

The petitioner herein has prayed for quashment of the entry at serial No.16 in the list of ineligible candidates vide Annexure P-7. The petitioner has also prayed for a direction to the respondents to include her name in the list of eligible candidates and further to allow her to appear in the main exam.

The case of the petitioner is that an advertisement was issued by the respondent seeking for appointment for 22 posts of Personal Assistants. The

petitioner applied for the same. An admit card was issued. A preliminary exam was held. The petitioner was declared successful to write for the main exam. After deposit of the main exam fee, another list of eligible and ineligible candidates were issued. The petitioner was declared to be ineligible on the ground that she did not possess the One Year Diploma in Computer Application in terms of the advertisement. Questioning the same, the instant petition is filed.

Shri Shashank Shekhar, learned senior counsel appearing for the petitioner's counsel submits that admittedly the petitioner was a holder of a Bachelor of Computer Application (BCA) as well as Master of Computer Application from the recognised University. The requirement was a Diploma in Computer Application. Furthermore, the State Government have clarified the said position in their Notification dated 18.08.2015 wherein they say that for the purposes of employment, BCA also would be considered as eligible. Hence, the respondents have committed an error.

Learned counsel for respondent submits that the plea of the petitioner cannot be accepted. That the Government rules have been adopted by the High Court subsequently and published as on 28.12.2021. Therefore, only from that date onwards that the BCA can be considered for the said post. That in the instant case, the last date for applying for the said post was 30.09.2021, whereas the change in rules were adopted by the High Court only on 28.12.2021. Hence, the change will not benefit the petitioner.

On hearing learned counsels, we do not find any ground to interfere in the matter.

When the High Court have adopted the Government rules only on 28.12.2021, it is from that date alone that it will be applicable. The last date for

submission of the required documents was 30.09.2021. As on that date, the petitioner should have been completely qualified for the said post. Apparently, the petitioner was holding a MCA degree. The requirement stood at only a Diploma in Computer Application. Hence, the petitioner would not be entitled for the said relief.

Consequently, the petition is dismissed.

Pending interlocutory applications are disposed off.

**(RAVI MALIMATH)**  
**CHIEF JUSTICE**

**(VISHAL MISHRA)**  
**JUDGE**

sj

