

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,  
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 14<sup>th</sup> OF JANUARY, 2026

WRIT APPEAL No. 3042 of 2025

*SMT. POOJA SEN*

*Versus*

*THE STATE OF MADHYA PRADESH AND OTHERS*

.....  
Appearance:

*Shri Sheersh Agrawal, learned counsel for the appellant.*

*Dr. S.S. Chouhan, learned Government Advocate for the respondent/State.*

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ORDER

*Per. Hon'ble Shri Justice Vinay Saraf*

1. The instant intra court appeal has been preferred by the appellant assailing the order dated 18.08.2025 passed by learned Single Judge in W.P.No.14444/2021 whereby the writ petition preferred by the appellant was dismissed.

2. Heard Shri Sheersh Agrawal, learned counsel for the appellant on the question of admission.

3. Short facts of the case are that the appellant appeared in the eligibility test in *Samvida Shala Shikshak Grade III* conducted in the year 2011 and was declared successful. As per circular dated 27.03.2012, the successful candidates in the eligibility test were required to submit online application for appointment along with choice filling of the local body.

Appellant neither submitted online application for appointment nor opted for local body. Thereafter, for the first time on 03.08.2021, the appellant submitted the application before the District Education Officer, Jabalpur for appointing her as *Samvida Shala Shikshak Grade III* stating that on 18.04.2012 she was married and gave birth to a child on 19.04.2015 who was seriously ill and was on ventilator support. When no decision was taken upon the said application, appellant preferred W.P.No.14444/2021 on 04.08.2022 seeking directions to appoint her on the post of *Samvida Shala Shikshak Grade III* in OBC/Open Category. The writ petition was dismissed by the learned Single Judge by order dated 18.08.2025, which is impugned in the instant writ appeal.

4. Shri Sheersh Agrawal, learned counsel for the appellant submits that when the appellant was successful in the eligibility test conducted in the year 2011, appellant was entitled for appointment on the post of *Samvida Shala Shikshak Grade III* as per Circular dated 27.03.2012 and the respondents have committed error in not issuing the appointment letter to the appellant. He further submits that the appellant could not submit online application and fill up the choice for opting the local body due to her marriage and subsequent disputes with the in-laws. He further submits that thereafter the appellant gave birth to a child who was seriously ill and was on support of the ventilator and therefore, before 03.08.2021 the appellant could not submit any application for issuance of appointment order. He further submits that on the basis of the result declared in the eligibility test 2011 and 2012, some of the candidates were appointed in the year 2020-2021 and

therefore, the appellant ought to have been appointed in the year 2021 and the action of the authorities in not appointing the appellant is arbitrary and illegal in manner. He prays for issuance of directions to the respondents to appoint the appellant and set aside the order passed by learned Single Judge in W.P.No.14444/2021.

5. After consideration of the arguments advanced by learned counsel for the appellant and on perusal of the documents filed in support of the petition, we are of the considered view that learned single judge has not committed any error in declining to grant any relief to the appellant as the appointment procedure was of two layer firstly, the candidates had to appear in eligibility test and thereafter the successful candidates were required to submit online application for appointment by opting the local body. As the appellant did not submit any online application for her appointment and opt for any local body, there was no occasion for respondents to issue any appointment letter to the appellant. Appellant gave birth to a child in 2015 and that cannot be a ground for not having applied in the year 2012. Appellant approached the court after a period of 9-10 years and the learned single Judge has rightly held that due to delay and laches, appellant has extinguished her alleged right to apply for appointment on the post of *Samvida Shala Shikshak Grade III*. The findings recorded by learned single judge are just and proper. There is no infirmity in the impugned order and the impugned order does not require any interference in the present intra court appeal.

6. Consequently, the admission is declined and the appeal is

dismissed in *limine*. There shall be no order as to costs.

(SANJEEV SACHDEVA)  
CHIEF JUSTICE

(VINAY SARAF)  
JUDGE

P/-