



2026:CGHC:15073-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WA No. 208 of 2026

Shivam Sonwani S/o G. K. Sonwani Aged About 38 Years Address- Qtr No. 2g, Street M P R Zone- 01, Sector- 11, Khursipar, Bhilai, Distt.- Durg, (C.G.), Pin Code- 490011

... Appellant

versus

1 - State of Chhattisgarh Through- The Secretary, Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, New Raipur, Atal Nagar, District- Raipur, Chhattisgarh- 492002

2 - Chhattisgarh Public Service Commission North Block, Sector- 19, Nava Raipur Atal Nagar, District- Raipur Chhattisgarh- 492002

3 - Chhattisgarh Public Service Commission Through- Exam Controller, North Block, Sector-19, Nava Raipur Atal Nagar, Chhattisgarh- 492002

4 - Hemchand Yadav Vishwavidyalaya Throgh- Vice Chancellor, Raipur Naka, Durg (C.G.)- 491001

5 - Hemchand Yadav Vishwavidyalaya Through - Registrar (Academic), Raipur Naka, Durg, (C.G.) - 491001

... Respondents

 For Applicant : Mr. Sateesh Kumar Sagar, Advocate
 For Respondent No.1/State : Mr. S.S. Baghel, Govt. Advocate
 For Respondent Nos. 2 & 3 : Dr. Sudeep Agrawal, Advocate
 For Respondent Nos. 4 & 5 : Mr. Neeraj Choubey, Advocate

Hon'ble Mr. Ramesh Sinha, Chief Justice
Hon'ble Mr. Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

01.04.2026

1. Heard Mr. Sateesh Kumar Sagar, learned counsel for the applicants. Also heard Mr. S.S. Baghel, learned Government



Advocate, appearing for the State / respondent No.1, Dr. Sudeep Agrawal, learned counsel, appearing for respondent Nos. 2 & 3 and Mr. Neeraj Choubey, learned counsel, appearing for respondent Nos. 4 & 5.

2. This writ appeal is presented against an order dated 15.01.2026 passed by the learned Single Judge in WPS No.216 of 2026 (***Shivam Sonwani vs. State of Chhattisgarh others***), whereby, the writ petition filed by writ petitioner / appellant herein has been dismissed by the learned Single Judge.
3. The brief facts necessary for disposal of this appeal are that pursuant to advertisement dated 22.4.2025, Annexure P-1, issued by appointment respondent No.2 inviting applications for appointment on various posts including of Clinical Psychologist and Counselor Psychiatry. In pursuance of aforesaid advertisement, the petitioner submitted online application form being qualified for the posts of Clinical Psychologist and Counselor Psychiatry. Communication dated 09.10.2025 was issued calling upon petitioner to produce all relevant documents for verification on scheduled date and pursuant thereto, petitioner appeared before respondent concerned and produced all original documents including educational testimonials. After verification of documents, list of shortlisted candidates was published on 31.12.2025, but petitioner was not shortlisted for interview, which led to filing of writ petition being WPS No. 216 of 2026 before this



Court. The said writ petition was dismissed by the learned Single Judge vide impugned order dated 15.01.2026. Hence, this appeal.

4. Learned counsel for the appellant vehemently argued that the impugned judgment passed by the learned Single Judge is contrary to law and facts on record and suffers from patent errors apparent on the face of the record. He further argued that the learned Single Judge failed to appreciate that State Government Universities in Chhattisgarh do not offer a separate degree titled “M.A. Clinical Psychology,” and therefore penalizing the Appellant on the basis of nomenclature is arbitrary and violative of Articles 14 and 16 of the Constitution of India. It is submitted that the Appellant possesses a Master’s degree in Psychology with core specialization in Clinical Psychology and Counseling, and ignoring such substantive qualification in favor of a rigid and hyper-technical interpretation defeats the doctrine of reasonable classification and the principle of “substance over form.” He also argued that the learned Single Judge further erred in overlooking the statutory framework under Section 2(g) of the Mental Healthcare Act, 2017, which recognizes individuals with a postgraduate degree in Psychology within the ambit of Clinical Psychologists, thereby rendering the rejection legally unsustainable. It is further submitted that the exclusion of the Appellant after document verification, without affording any opportunity of hearing or passing a reasoned order, is violative of



the principles of natural justice and the doctrine of legitimate expectation. He contended that the Respondent State has adopted inconsistent standards by recognizing similar qualifications for analogous posts in other departments, thereby subjecting the Appellant to hostile discrimination in violation of Article 14. Additionally, the failure to constitute an expert body to assess the Appellant's specialized academic curriculum renders the decision arbitrary and uninformed. He lastly submitted that the learned Single Judge also failed to consider binding judicial precedents mandating purposive and contextual interpretation of qualifications, thereby imposing an unreasonable and impracticable standard.

5. Per contra, learned State counsel submitted that the impugned judgment passed by the learned Single Judge is just, proper, and in accordance with law, and does not warrant any interference. The eligibility criteria prescribed in the advertisement clearly required a specific qualification, and the Appellant admittedly does not possess a degree titled "M.A. Clinical Psychology." He further submitted that it is well settled that eligibility conditions must be strictly construed and cannot be relaxed or interpreted liberally by the Court. He contended that the contention of the Appellant that nomenclature should be ignored is misconceived, as recruitment must be conducted in terms of the notified rules to ensure uniformity and fairness. He further contended that the reliance on the Mental Healthcare Act, 2017 is misplaced, as the said statute



operates in a different field and does not govern recruitment to the post in question. It is further submitted that no case of arbitrariness, discrimination, or violation of Articles 14 and 16 is made out, and the rejection of candidature is strictly in accordance with the prescribed norms.

6. Learned counsel, appearing for respondent Nos. 2 & 3 / PCS submitted that the PSC, being a constitutional authority, has conducted the selection process strictly in accordance with the terms of the advertisement and applicable rules, leaving no scope for deviation. The Commission is bound by the eligibility criteria as notified and does not have the authority to reinterpret or dilute the same by examining equivalence of qualifications unless expressly provided. The Appellant, not possessing the requisite prescribed degree, was rightly found ineligible at the stage of document verification. It is further submitted that the process adopted is transparent, objective, and uniformly applied to all candidates, and therefore no allegation of arbitrariness or discrimination can be sustained. The claim regarding lack of opportunity of hearing is also untenable, as rejection at the stage of verification based on objective criteria does not necessitate a prior hearing.

7. Learned counsel appearing for respondent Nos. 4 & 5 submitted that the University has no role in the recruitment process or determination of eligibility criteria for the post in question. The degrees conferred by the University are in accordance with its approved curriculum and nomenclature, and it is not within the



domain of the University to classify or equate such degrees for the purpose of recruitment under a separate authority. He further argued that the Appellant's degree is duly recognized as "M.A. Psychology," and any claim regarding its equivalence to "M.A. Clinical Psychology" falls outside the purview of the University. Therefore, no liability or arbitrariness can be attributed to the University in the present matter, and the challenge, insofar as it concerns the University, is wholly misconceived.

8. We have heard learned counsel for the parties and perused the impugned order and other documents appended with writ appeal.
9. The Appellant challenges the order of the learned Single Judge, whereby his writ petition seeking recognition of his M.A. Psychology degree as equivalent to an M.A. Clinical Psychology degree for eligibility to a State Government post was dismissed. The Appellant contends that he possesses substantive specialization in Clinical Psychology and Counseling, and exclusion on the basis of nomenclature violates Articles 14 and 16 of the Constitution.
10. The Court has carefully examined the advertisement, eligibility criteria, and material on record. The advertisement expressly requires a degree titled "M.A. Clinical Psychology." The Appellant holds a degree titled "M.A. Psychology" with clinical specialization, but no statutory or regulatory provision recognizes this as equivalent to the prescribed degree. The principles of strict



eligibility for recruitment, consistently upheld by the Hon'ble Supreme Court in *Union of India v. Satyawati Sharma* (AIR 2012 SC 1493) and *Secretary, State of Karnataka v. Umadevi* (2006) 4 SCC 1, mandate that a candidate must possess the prescribed qualification unless equivalence is formally recognized.

11. The Court also notes that the PSC and Respondent authorities have applied the eligibility criteria uniformly. While the Appellant claims that his specialization confers substantive competence, the recruitment rules are explicit in their requirement, and allowing equivalence in this context would result in deviation from the objective standards of fairness and uniformity. Allegations of discrimination or violation of Articles 14 and 16 cannot succeed where the prescribed norms are applied equally to all candidates. Principles such as "substance over form" or references to the Mental Healthcare Act, 2017, are not sufficient to alter the mandatory eligibility conditions in recruitment.
12. In view of the above, the Court finds no merit in the appeal. The learned Single Judge has correctly dismissed the writ petition, and there is no legal basis to interfere with the order.
13. Accordingly, the appeal, being devoid of merit, is **dismissed**. No order as to costs.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice