



1

WP-11655-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL DHAGAT

ON THE 6th OF APRIL, 2026

WRIT PETITION No. 11655 of 2026

SUSHIL TRIPATHI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Aryan Urmaliya - Advocate for petitioner.

*Smt. Swati Aseem George - Govt. Advocate for respondents No. 1 to
4/State.*
.....

ORDER

Petitioner has filed this petition under Article 226 of the Constitution of India making a prayer to correct inadvertent error in the petitioner's online application form by treating option under Clause 7.7 (RCI Special Education) as "No" instead of "Yes" and to remove wrongly awarded 5% RCI bonus marks from petitioner's score and to revise his result accordingly. Prayer is also made to issue writ of mandamus directing respondents to consider candidature of petitioner for post of Primary Teacher (General Category) strictly on basis of corrected marks, merit and eligibility.

2. Counsel appearing for petitioner relied upon order dated 15.12.2025, passed in *W.P. No. 42759 of 2025, Deepak Parmar vs State of M.P. and others*, wherein petitioner namely Deepak Parmar has filled up his candidature as Special Diploma Category and wants to change the same to



General Diploma Category. Said writ petition was allowed by co-ordinate Bench on grounds that due to bonafide clerical error attributable to MP Online Portal Operator, form was inadvertently filled up under Special D.El.Ed. category instead of General D.El.Ed. category. Documents uploaded were relating to General D.El.Ed. qualification. Petitioner had secured 80% marks in examination, which is sufficient for consideration, and no benefit of Special D.El.Ed. category was claimed or derived. On aforesaid reasoning, Court disposed of Writ Petition passing order that order will operate as *judgment in rem* and Selection Board is directed to issue corrigendum within 7 days from date of receipt of certified copy of the order providing an online correction window for 15 working days to enable all such candidates to rectify their category strictly in accordance with their eligibility. Said facility shall be one-time measure and shall not be extended beyond stipulated period and shall not be a precedent.

3. Government Advocate appearing for respondents No.1 to 4/State opposed the petition.

4. Heard the counsel for the parties.

5. Order was passed on 15.12.2025. Window was to be open only for period of 15 days. Said period of 15 days is over on 01.01.2026. Since it was one-time measure, therefore, petitioner cannot be given benefit of order passed by co-ordinate Bench in case of Deepak Parmar (*supra*). Further, order cannot be treated in rem as para 7 was special circumstance, in which order was passed. Other candidates may not have said special circumstance, which is enumerated in para 7 of judgment, which is produced as under :

"7. This Court is of the view that the petitioner had qualified the Primary School Teacher Recruitment Examination, 2020 conducted by Respondent No. 2 and, pursuant to the subsequent recruitment rules,



appeared in the Primary School Teacher Recruitment Examination, 2025. While submitting the online application form, the petitioner, due to a bona fide clerical error attributable to the M.P. Online portal operator, was inadvertently shown under the Special D.El.Ed category instead of the General D.El.Ed category, despite possessing and uploading documents relating to the General D.El.Ed qualification. The petitioner secured 80% marks in the examination, which is otherwise sufficient for consideration, and no benefit of the Special D.El.Ed category was claimed or derived."

6. Each candidate will have a different case therefore, no order in rem could be passed as special circumstance is enumerated in para 7 above. Said order cannot be relied upon by this Court after period of 15 days as same was one-time measure for limited time. Further, in advertisement, it was clearly mentioned that last date of filing application form was 01.08.2025 and last date for amendment was 06.08.2025. All candidates were aware of said date, therefore, whatever amendment they want to carry out, has to be carried out within aforesaid period. If leverage is granted to candidates, then it will result in unnecessary trouble and problem to Employees Selection Board and it will also result in delay in conduct of examination and declaration of result. Due to change in category, result of candidate is to be revised and further bonus marks are to be given. If a candidate possess RCI Special Education as per Clause 7.7, then he is also awarded 5% RCI bonus marks and result of such candidate is also to be revised. If all candidates are permitted to do so, then it will be a herculean task for Employees Selection Board to conduct public service examination. Further, no right of equality or fundamental rights of petitioner is violated. No one can be given benefit of his own mistake. If a person has committed a mistake, he is responsible for same and



he cannot be permitted to say that it was unintentional and same crept in. If candidates are permitted to change the category, then it will amount to changing the rules of the game, as last date of amendment was 06.08.2025.

7. In view of aforesaid, writ petition is **dismissed**.

(VISHAL DHAGAT)
JUDGE

vkt