

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE  
AND  
THE HON'BLE SRI JUSTICE S.V. BHATT

Writ Petition No.18303 of 2015

-  
DATED:23.06.2015

Between:

K.Subhash Kankyana Subhash

....Petitioner

And

The Registrar Recruitments, High Court at Hyderabad and another

....Respondents

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE  
AND  
THE HON'BLE SRI JUSTICE S.V. BHATT**

**Writ Petition No.18303 of 2015**

**PC:** (Per Hon'ble Sri Justice S.V. Bhatt)

Heard learned counsel for the petitioner and Sri S.Sri Ram, standing Counsel representing the respondents.

The petitioner is a practicing Advocate.

The petitioner prays for Mandamus declaring the action of the respondents in rejecting the application of the petitioner for the post of District Judge (Entry Level), pursuant to notification dated 8.10.2014 as illegal, arbitrary and unconstitutional.

To appreciate the fact in issue between the parties, it is apt to extract the ground on which the petitioner's application has been rejected by the respondents.

|    |     |                                                                                        |                                              |
|----|-----|----------------------------------------------------------------------------------------|----------------------------------------------|
| 18 | 620 | Subhash Konkyana<br><br>Chittaranjan Street,<br>Srikakulam Town<br>and District-532001 | Submitted incomplete practice<br>certificate |
|----|-----|----------------------------------------------------------------------------------------|----------------------------------------------|

The case of petitioner is that on 17.06.1993, the petitioner was enrolled as an Advocate in the Bar Council of the State of Andhra Pradesh and since 1993, he has been practising in Srikakulam

District. Along with the application, the petitioner has enclosed the Certificate dated 05.06.2015 issued by the District Bar Association, Srikakulam. The Certificate reads as follows:

“This is to certify that Konkyana Subash son of late Venkata Rangarao has been enrolled as an Advocate under the Rolls of Bar Council of Andhra Pradesh under Roll No.A.P. 944/1993 at Hyderabad on 17<sup>th</sup> June,1993. He has been practicing as an Advocate in both civil and criminal courts in Srikakulam District since 1<sup>st</sup> July,1993. His Character and conduct is very good.”

The application of petitioner is rejected on the ground that the certificate of standing enclosed by petitioner does not contain date to reckon seven years of standing at Bar, as required by the notification. Hence the writ.

We have perused the original record. *Prima facie*, it appears, the rejection of petitioner's application is due to an erroneous examination of enclosures filed along with the application. It is not the case of respondents that the petitioner did not enclose certificate evidencing standing at the Bar. But the reason is that the certificate does not bear the date of issue of certificate. As noticed the application is accompanied by the enrollment certificate of 1993 and the certificate issued by the General Secretary, Srikakulam Bar Association states that the petitioner has been practising from 1<sup>st</sup> July,1993. *Prima facie*, it appears that non-consideration of the Certificate and enrolment certificate resulted in erroneous rejection. In our considered view, the ground on which the application of the petitioner is rejected is unsustainable and accordingly, the same is set aside.

The writ petition is ordered by directing the 1<sup>st</sup> and 2<sup>nd</sup>

respondents to receive the application and issue Hall Ticket to the petitioner for the written examination scheduled on 28.6.2015.

Consequently, pending miscellaneous petitions also stand closed.

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**DILIP B. BHOSALE, ACJ**

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**S.V. BHATT,  
J**

23<sup>rd</sup> June, 2015  
Stp