

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.12613 OF 2016

ORDER:

Heard Sri V.R.Mannapally, learned counsel appearing for the petitioners and learned Government Pleader for Employment and Training, appearing for the 2nd respondent.

2. This writ petition is filed seeking to declare the action of the 1st respondent in not allowing the petitioners to appear for written test/interview for selection and appointment to the post of Senior Assistant (Accounts), as illegal, arbitrary and contrary to the judgment of the Apex Court, and consequently, to direct the respondents to consider the case of the petitioners for selection and appointment to the post of Senior Assistant (Accounts) without insisting that the name of the petitioners should be sponsored by the Employment Exchange.

3. Learned counsel appearing for the petitioners submits that the petitioner have registered their names in the District Employment Exchange, Vijayawada, Krishna District. Learned counsel further submits that on the requisition made by the 1st respondent, the 2nd respondent sponsored certain names for the purpose of appointment to the post of Senior Assistant (Accounts), but the names of the petitioners were not sponsored.

4. The grievance of the petitioners is that even if their names are not sponsored by the Employment Exchange, the 1st respondent has to make an advertisement and call for the applications from the eligible candidates so as to enable them to appear for the interview. In **State of Bihar Vs. Upendra Narayan Singh and others**^[1], the Supreme Court took the view that the

employer shall not restrict the eligible candidates to those who are sponsored by the Employment Exchange and the applications from the eligible candidates have to be called for by making publication in the newspapers.

5. In view of the judgment of the Hon'ble Apex Court, the respondents are directed to permit the petitioners to appear for the written test/interview for selection and appointment to the post of Senior Assistant (Accounts).

6. Accordingly, the writ petition is disposed of at the admission stage. Miscellaneous Petitions pending consideration, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

18.04.2016
SS

Note: issue C.C. immediately.
B/o. SS

[\[1\]](#) 2009 (5) SCC 65