

TUESDAY, THE EIGHTH DAY OF MARCH TWO THOUSAND AND SIXTEEN

HON'BLE SRI JUSTICE A.V.SESHA SAI

Between:

.. Petitioners

.. Respondents

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HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.7265 of 2016

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ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue any writ, order or direction more particularly one in the nature of Mandamus declaring the action of the respondents in not considering the cases of the petitioners for the selection process to be held on 10-03-2016 or on any subsequent date for the posts of Attender cadre in the office of the 1st respondent bank under the control and jurisdiction of the 1st respondent bank as illegal, arbitrary and contrary to law and consequently direct the respondents herein to consider the cases of the petitioners for the selection process for the post of Attender cadre to be held on 10-03-2016 or any subsequent date without insisting upon that their names should be sponsored by the 2nd and 3rd respondents and appoint the petitioners in the said post.”

2. Heard Sri Jalli Narendar, learned counsel for the petitioners and the learned Government Pleader for Employment for respondents 2 and 3.

3. The 1st respondent Bank made a requisition to respondents 2 & 3 to sponsor the candidates belonging to OC, BC, SC and ST community for the posts of temporary Attender. The grievance of the petitioners is that the respondents have not been receiving the application from the candidates other than those sponsored by the Employment Exchange.

4. The present writ petition is, therefore, filed to direct the respondents to receive the application form of the petitioners for the post of temporary Attender without insisting upon their names being

sponsored by the Employment Exchange.

5. Reliance is placed by the learned counsel appearing for the petitioners on **Excise Superintendent, Machilipatnam, Krishna District, A.P., Vs. KBN Visweshawara Rao & others**^[1] wherein the Supreme Court has laid down categorically that restricting the selection only to the candidates sponsored by Employment Exchange is not proper. In addition to requisitioning the names from Employment Exchange, names should also be called for by publication in newspapers, having wide circulation and display on office notice boards or announcement of radio, television and employment news bulletins.

6. In view of the above judgment of the Hon'ble Supreme Court, the respondents are under obligation to receive the application from the petitioners.

7. Therefore, the respondents are directed to receive the applications from the petitioners and allow them to participate in the selection process including the written test and interviews to the existing vacancies of temporary Attender post without insisting that their names must be sponsored by the Employment Exchange.

8. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A.V.SESHA SAI, J

Date: 8th March, 2016

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HON'BLE SRI JUSTICE A.V.SESHA SAI

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[1] (1996) 6 SCC 216