

**IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

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WRIT PETITION No.17694 OF 2015

Between:

T. Sai Prashanth S/o T. Rajaiah

....Petitioner

A n d

**The Chairman & Managing Director, Singareni Collieries Company
Limited and one another**

....Respondents

DATE OF ORDER: 05.01.2016

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 17694 OF 2015

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ORDER:

With the consent of both the learned counsel, this Writ Petition is taken up for disposal.

2. The Singareni Collieries Company Limited has issued employment notification No.1/2015 calling for applications from eligible candidates for filling up of various categories of posts notified. One of the posts notified is Management Trainee (E&M). The petitioner applied to the post of Management Trainee (E&M). As per the recruitment notification, applications are to be submitted online and after the applications are successfully submitted online the candidate has to take out print out of the successful uploaded application and by enclosing certificates in proof of age, qualification, experience etc., the candidate has to send the application to the Recruitment Cell by registered post to be received on or before 4.3.2015.

3. Petitioner submitted application online by following due procedure as indicated in the notification and he sent the physical form of application along with the documents in support of the eligibility criterion. As per the recruitment notification, candidate has to obtain DD for an amount of Rs. 200/- in the name of the Company. DD number and date was mentioned in online application against column No. 9. According to the petitioner, after downloading the application, the petitioner has enclosed all the relevant documents require to be enclosed including DD. However, application submitted by the petitioner was rejected on the ground that the DD is not found in the application. Aggrieved thereby, this Writ Petition is filed

4. Pursuant to the interim order dated 22.6.2015, petitioner was issued hall ticket and was permitted to write examination on

28.6.2015. The result of the examination was announced on 1.7.2015 in so far as the other candidates are concerned, but the result of the petitioner was not announced.

5. Praying to vacate the interim order granted by this Court on 22.6.2015, the respondent-Company filed WVMP No. 1914 of 2015.

6. The only issue for consideration is whether the petitioner has submitted the DD along with the physical form of application after registering the name of the petitioner in online. Though the respondent-Company stated that the DD is not enclosed, the fact that the petitioner has mentioned DD number and date in the online application discloses that the petitioner has obtained DD towards application fee. The petitioner filed photo copy of the DD taken from the State Bank of Hyderabad dated 19.2.2015 as well as the counter foil as document No. P-3 at page No. 23. Perusal of said P-3 *prima facie* would show that the petitioner has obtained DD and submitted the same. Even assuming that the DD is misplaced, on this technical ground of not finding the DD, the application submitted by the petitioner ought not to have been rejected. In the facts of this case further opportunity ought to have been given to the petitioner to produce the relevant proof of DD taken from the State Bank of Hyderabad dated 19.2.2015.

7. Learned counsel appearing for the respondent-Company has fairly submitted that the requirement of payment of Rs. 200/- is only for the purpose of processing the application for conducting the examination and is nothing to do with the eligibility of the candidate for the post in issue.

8. Be that as it may, the petitioner has obtained DD and relevant particulars are already furnished while registering the application on online. It has to be presumed that the application is in compliance with the recruitment notification. Therefore, on the specious ground that DD is not found along with the application of the petitioner, his application ought not to have been rejected. It can at the most be a

bonafide mistake. Hence, the action of the respondents is illegal.

9. Accordingly, the Writ Petition is allowed and the respondents are directed to announce the result of the petitioner and to consider the case of the petitioner for appointment to the post of Management Trainee (E&M) if he is otherwise eligible. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

P. NAVEEN RAO, J

Date: 05.1.2016

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