

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

FRIDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE R.KANTHA RAO

WP .NO:23747 of 2015

Between:

Dr. Mohd Safiullah Khan, Ph.D, aged 38 years, S/o Sri Mohd Samiullah Khan,

..... Petitioner

AND

- 1 Anjuman Khadimum Muslameen Rafeh-e-Aam Oriental College, Kacheguda, Hyderabad, rep. by its Secretary & Correspondent, Sri Syed Badaruddin Quadri, S/o Sri Syed Shah Quadeer Mohinuddin Quadri, R/o Hyderabad.
- 2 The State of Telangana, Higher Education Department, rep. by its Principal Secretary, Secretariat, Hyderabad
- 3 The Commissioner of Collegiate Education, Government of Telangana, Nampally, Hyderabad
- 4 Sri Ahsam Bin Md Al Hamoomi, S/o Sri Md. Bin Abdul Rahman Al Hamomi, Occ: Imam at Baghe Aam Masjid, Besides Assembly, Public Gardens, Hyderabad.

.....Respondents

Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ or order preferably in the Nature of Mandamus and after calling for records pertaining to the impugned Selection Committee Proceedings, dated 7-4-2015, rendered/passed by 1st Respondent as Contrary to Law and unconstitutional, and consequently set aside/quash the same as such and consequently : quash the impugned Selection Proceedings of the 1ST Respondent for not awarding 10 Marks for Holding Ph.D in Arabic as contrary to law and contrary to G O Ms No.12, Education Department (CEI-2) Department dated 10-1-1992, and consequently hold that this petitioner is entitled to 10 Marks in Academic Record for holding Ph.D in Arabic and consequently set aside the selection of the 4th Respondent as contrary to law, and consequently direct the Respondent Nos. 1 to 3 to appoint the Petitioner as Lecturer in Arabic in preference to 4th Respondent with all consequential benefits and consequently,.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of Dr. K.Lakshmi Narasimha, Advocate for the Petitioner and of Sri Siva, Advocate for the Respondent No.1, and of the GP fro Higher Education (TG), for the Respondents No. 2 and 3, the Court made the following.

ORDER:

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“Respondent No.1-College shall inform modification of the interim order passed by this Court in WPMP. No. 28766 of 2015 to respondent No.4.

Post next week.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. Sri Syed Badaruddin Quadri, S/o Sri Syed Shah Quadeer Mohinuddin Quadri, Secretary & Correspondent, Anjuman Khadimum Muslameen Rafeh-e-Aam Oriental College, Kacheguda, Hyderabad
2. The Principal Secretary, Higher Education Department, State of Telangana, Secretariat, Hyderabad
3. The Commissioner of Collegiate Education, Government of Telangana, Nampally, Hyderabad
4. Sri Ahsam Bin Md Al Hamoomi, S/o Sri Md. Bin Abdul Rahman Al Hamomi, Occ: Imam at Baghe Aam Masjid, Besides Assembly, Public Gardens, Hyderabad. (Addressees 1 to 4 BY RPAD)
5. Two CCs to GP for Higher Education, (TG), High Court Buildings, Hyderabad (OUT)
6. one CC to Dr. K.Lakshmi Narasimha, Advocate (OPUC)
7. One CC to Sri Siva, Advocate (OPUC)
8. One Spare Copy

HIGH COURT

AB

DRAFTED ON 25-8-2015

RKRJ

DATE: 21-8-2015

ORDER

WP. NO. 23747 OF 2015

DIRECTION