

THE HON'BLE SRI JUSTICE A.V.SESHA SAI
WRIT PETITION No. 5885 of 2016

ORDER:

Heard learned counsel appearing for the petitioner and learned Government Pleader for Employment and Training appearing for the 2nd respondent.

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 Peon/Office Sub-Staff, 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 Peon/Office Sub-Staff without insisting that the names of the petitioners should be sponsored by the Employment Exchange.

Learned counsel appearing for the petitioners submits that the petitioners have registered their names in the District Employment Exchange, Vijayawada, Krishna District. Learned counsel further submits that on the requisition made by the first respondent, the 2nd respondent sponsored certain names for the purpose of appointment to the post of Peon/Office Sub-Staff, but the names of the petitioners were not sponsored.

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 news papers.

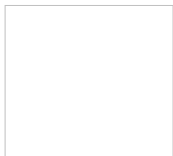
In view of the judgment of the Apex Court, the respondents are directed to permit the petitioners to appear for the written test/interview for selection and appointment to the post of Peon/Office Sub-Staff.

Accordingly, the writ petition is disposed of at the admission stage. No order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand dismissed.

A.V.SESHA SAI, J.

24th February, 2016
cbs



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