

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

WRIT PETITION No.7104 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 petitioner to appear for written test/interview for selection and appointment to the post of Assistant (HR), as illegal, arbitrary and contrary to the judgment of the Apex Court, and consequently, to direct the respondents to consider the case of the petitioner for selection and appointment to the post of Assistant (HR) without insisting that the name of the petitioner should be sponsored by the Employment Exchange.

Learned counsel appearing for the petitioner submits that the petitioner has registered her name 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 Assistant (HR), but the name of the petitioner was not sponsored.

The grievance of the petitioner is that even if her name is 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 her 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.

In view of the judgment of the Apex Court, the respondents are directed to permit the petitioner to appear for the written test/interview for selection and appointment to the post of Assistant (HR).

Accordingly, the writ petition is disposed of at the admission stage.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SSHA SAI, J

March 04, 2016

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