

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 15764 of 2013

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus to call for the records pertaining to non-selection of the petitioner to the post of Sub-Engineer (Electrical) in the Recruitment Notification, 2012 and to set aside the same; and to direct the respondents to appoint the petitioner in the post of Sub-Engineer (Electrical) with all consequential benefits and attendant benefits, by holding the action of the respondents as illegal, irrational, arbitrary, discriminatory, void and violative of the Rules and Regulations issued from time to time.

2) The grievance of the petitioner is that though he is entitled for weightage marks but the authorities failed to consider the same and if the said marks are added, he would be entitled for an appointment. But at the same time it is also to be noted that the entire selection process is over and appointments were also made long back.

3) Learned counsel for the respondents submits that as on today there are no vacancies.

4) Dealing with an identical issue, a learned Single Judge of this Court in *V.Bhaskar vs. A.P.C.P.D.C. Ltd., and another*¹ held as under:

¹ (2014) 3 ALT 9

“In the light of the above facts and circumstances of the case, as and when regular vacancies arise, or have already arisen, the case of the petitioner based on his representation dated 15.12.2005 shall be considered for the purpose of appointing him to the post of Sub-Engineer, subject to all other eligibility criteria, save the age factor.”

5) In view of the judgment referred to above, learned counsel for the petitioner seeks the same relief. The said fact is not seriously disputed by the learned counsel for the respondent, but however states that a positive direction cannot be granted.

6) Having regard to the above, the writ petition is disposed of with an observation that the case of the petitioner shall be considered for the purpose of appointing him to the post of Sub-Engineer (Electrical), in future vacancies, subject to fulfilling all other eligibility criteria.

7) There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

18.04.2017
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