

HON'BLE SRI JUSTICE SANJAY KUMAR
AND
HON'BLE SRI JUSTICE M.GANGA RAO

WRIT APPEAL No.20 of 2018

JUDGMENT: (per Hon'ble Sri Justice Sanjay Kumar)

The unsuccessful petitioner in Writ Petition No.40275 of 2017, which was dismissed by a learned Judge of this Court vide order dated 28.11.2017, is the appellant. The prayer in the said Writ Petition was to declare the action of the Insurance Regulatory and Development Authority of India in issuing the employment notification dated 27.9.2017 as illegal on the ground that it was in violation of the rule of reservation. By the order under appeal, the learned Judge held that no *prima facie* case was made out in the affidavit filed in support of the Writ Petition with regard to violation of the rule of reservation and accordingly dismissed the Writ Petition.

Mr. M.V.Suresh, learned counsel appearing for the Insurance Regulatory and Development Authority of India, would state that the notification dated 27.9.2017 has culminated in appointments being made to the various posts which were notified thereunder and therefore, this Writ Appeal arising out of a challenge to the notification alone would not survive for consideration. We find merit in this submission.

As none of the appointed candidates are made parties to this litigation, this Court cannot go into the validity of the impugned notification behind their back as, it would adversely affect their interests.

The Writ Appeal is accordingly dismissed leaving it open to the appellant/petitioner to take further steps, if he so desires, by filing a fresh case impleading all the affected parties. All issues are left open.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE M.GANGA RAO

12th December, 2018
DR