

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION Nos. 4514 OF 2007 AND 20121 OF 2007

COMMON ORDER:

Both the Writ Petitions are being disposed of by way of a common order, as the issue raised in both the Writ Petitions is one and the same.

These Writ Petitions are filed seeking to issue a Writ of Mandamus declaring the action of the 1st respondent in not providing as a matter of policy, reservations for OBCs in the posts of Lecturers in its various faculties and departments in the notification dated 1.2.2007 for 28 posts of Lecturers in various faculties as illegal, null and void and further to set aside the said notification dated 1.2.2007 and direct the 1st respondent to compute the backlog vacancies of unfilled OBC posts from the inception of the policy of reservation for OBCs in Central Government Establishments, and fill up the backlog vacancies as a matter of priority, before proceeding with any further recruitment to the posts of Lecturers.

2. Heard Mr.S.S.Viswanetra Ravi, Counsel for the petitioners and M/s Indus Law Firm for the respondents.

3. It has been contended by the petitioners that the respondents have issued recruitment notification for filling up of various posts on 1.2.2007 and that the action of the respondents in not reserving any posts of OBCs is illegal, arbitrary and contrary to the policy decision taken by the Central Government. It has been further contended that the petitioners are fully eligible and qualified to be appointed as Lecturers as they belong to OBCs.

4. The Standing Counsel for the respondents has contended that right from 2007 onwards, the respondents are following reservation in respect of OBCs and the case of the petitioners was also considered during the year

2007 and the petitioners could not come up within the zone of consideration for being considered for appointment to the posts of Lecturers and there are no merits in the Writ Petitions and the Writ Petitions are liable to be dismissed.

5. This Court is of the considered view that the ends of justice will be met, if the Writ Petitions are disposed of by directing the respondents to consider the cases of the petitioners as and when they fill up the posts of Lecturers in accordance with rules and pass appropriate orders. It is needless to say that the respondents shall also take into consideration the backlog vacancies of OBCs and take a decision to fill up the posts of Lecturers in accordance with rules.

6. The Miscellaneous Petitions pending, if any, shall stand closed.

23rd November, 2018

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ABHINAND KUMAR SHAVILI, J

