

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.2167 OF 2019

ORDER:

When the matter is taken up for hearing, learned counsel for the petitioners submitted that the issue raised in this writ petition is squarely covered by the judgment passed by this Court in W.P.No.802 of 2019, dated 01.02.2019 and contends that relaxation of age in respect of the petitioners be considered in terms of the said judgment. Learned counsel for the petitioners further submitted that the petitioners were appointed as Artists during 2015. While so, a writ petition, being W.P.(PIL) No.320 of 2017 was filed before this Court, challenging the appointments made to the posts of Artists. A Division Bench of this Court has disposed of the said writ petition on 10.07.2018 directing the respondents therein to recruit Artists after subjecting them to selection process. In pursuance of the said order, the respondents have issued the recruitment notification on 24.12.2018, wherein the minimum age limit and the maximum age limit have been prescribed. Since the petitioners have crossed the maximum age limit prescribed in the notification dated 24.12.2018, they have filed the present writ petition seeking a direction to consider their cases in view of the observations made by the Division Bench of this Court in the above said Public Interest Litigation case, wherein it was specifically directed that 550 selected candidates also be subjected to selection process. The petitioners contend that if they are not allowed to participate in the selection process, they will be put irreparable loss and hardship.

Learned counsel for the petitioners further contends that in the orders dated 01.02.2019 passed by this Court in W.P.No.802 of 2019, the respondents therein were directed to permit the petitioners therein who

had crossed the upper age limit to participate in the selection process, without reference to the age criteria, and therefore contends that similar relief be granted in the present case also.

Learned Additional Advocate General appearing for the respondents had not disputed the above said facts and contends that appropriate orders be passed in terms of the order, dated 01.02.2019, in W.P.No.802 of 2019.

In view of the above submissions, this writ petition is disposed of directing the respondents to consider the cases of the petitioners without rejecting their applications on the ground that they have crossed the upper age limit as set out in the notification. It is needless to say that if the petitioners come within the zone of consideration in the selection process, their cases will be considered and they will be appointed as Artists. No costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Dated: 5th February, 2019

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