

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.3193 of 2018

ORDER

Learned counsel for the petitioner submits that the issue involved in this writ petition is squarely covered by the common order passed by this Court in W.P.No.40717 of 2017 & batch dated 08.03.2019. Learned counsel also submits that following the judgment of the Supreme Court in *Avtar Singh v. Union of India and others*¹, this Court allowed the said W.P.No.40717 & 2017 & batch and directed the respondents therein to re-consider the case of the petitioners therein in terms of the guidelines framed by the Supreme Court in *Avtar Singh*'s case referred supra. Learned counsel further submits that without giving any opportunity to the petitioner, the respondents have cancelled the provisional selection of the petitioner on the ground of suppression of her involvement in criminal case. Therefore, learned counsel submits that appropriate orders be passed in the writ petition by setting aside the impugned cancellation order dated 21.07.2017 and direct the respondents to re-consider the case of the petitioner in terms of the guidelines framed by the Apex Court in *Avtar Singh*'s case referred to above.

¹ (2016) 8 SCC 471

Learned Standing Counsel appearing for the respondents had submitted that since the petitioner has suppressed her involvement in the criminal case, the respondents have rightly cancelled the provisional selection of the petitioner; therefore, there are no merits in the writ petition and the same is liable to be dismissed.

This Court, having considered the rival submissions of learned counsel for both parties, is of the considered view that the issue raised by the petitioner is squarely covered by the common order passed by this Court in W.P.No.40717 of 2017 & batch, dated 08.03.2019, and the respondents have passed the impugned order of cancellation of provisional selection of the petitioner without following the principles of natural justice, therefore, the impugned order is set aside.

Accordingly, this writ petition is allowed and the respondents are directed to re-consider the case of the petitioner in terms of the guidelines framed by the Apex Court in *Avtar Singh's* case referred to above. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

25th July, 2019
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