

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 15115 OF 2019

ORDER :

This writ petition is filed for the following prayer;

“....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondent No.3 and 4 in rejecting the application vide Registration No.PMOPG/E/2018/0100132, dated 21/03/2018 for Admission of Petitioner No.2 & 3 under sports quota into Educational Institution of respondent No.3 and 4 vide Respondent No.3 letter No.F.110355/01/2018-19/KVS (HQ)/SP/NSM, dated 17.04.2019, as arbitrary, illegal, violative of the principles of natural justice besides violating the petitioners' rights guarantee under Article 14 and Article 19(1) (g) of the Constitution of India and pass such order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

Heard learned counsel for the petitioners who submits that the respondents themselves admitted in the counter affidavit that as per the instructions issued by the Kendriya Vidyalaya Sangathan, New Delhi vide letter dt.25.04.2018, the petitioners 2 and 3 are found eligible for admission as far as the sports event Roller Skating (Artistic) is concerned under sports quota; and that the rejection of the case of the petitioners 2 and 3 stating that the said sport event is not included in the list of individual games specified in Annexure –A of Part B/para vi of Guidelines for Admission in Kendriya Vidyalayas, is illegal and arbitrary and the same has to be set aside.

Sri Narasimha Sharma, Learned Standing Counsel for respondents 3 and 4 submits that though the 2nd and 3rd petitioners are found eligible in respect of the Roller Skating sports event is concerned, but the same is subject to fulfilment of the terms and conditions as stated in Annexure-A of Part-B/para-vi of Guidelines for Admission in Kendriya Vidyalayas, which specifically provide that only previous/current year sports achievements will be considered; and that as per the said provision, previous year is 2018 and current year is 2019, but, the petitioners produced sports achievement certificates pertaining to the year 2017.

In this case it is to be seen that the rejection of the admission of petitioners 2 and 3 into the respondents institution is only on the ground that the Roller Skating (Artistic Skating) is not included in the list of individual games listed for consideration in Annexure – A of Part-B/para-vi of Guidelines for Admission in Kendriya Vidyalayas. But, in the counter affidavit it is admitted that the said game is one of the sports event for considering the petitioners 2 and 3's admission under sports quota into respondents institution. In view of the same, the rejection of admissions of petitioner Nos. 2 and 3 into respondents' institution to that extent is liable to be set aside.

Accordingly, the rejection of admission of petitioner Nos.2 and 3 into respondents' institution is set aside and the competent authority is directed to consider the admissions of petitioners 2 and 3 into

respondents' institution in terms of letter dt.17.04.2018, issued by the 3rd respondent. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

19.08.2019
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