

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.16595 of 2019

ORDER

This writ petition is filed seeking the following relief:

“.....(a) to direct the respondent board/societies to exercise power of relaxation in the teeth of the peculiar circumstances in the case and fill up the unfilled vacancies in the subjects with which we are concerned in the present case by calling the meritorious candidates for demo and accordingly fill up all the unfilled vacancies (b) by holding the action of the respondents in not doing so in peculiar circumstances as bad, illegal, arbitrary, discriminatory, contrary to public interest and unconstitutional (c) by issuance of Writ of Mandamus (d) and pass such other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard Sri J.Sudheer, learned counsel appearing for the petitioner, learned Government Pleader for Education appearing for respondent No.4 and Sri N.Bhupal Reddy, learned Standing Counsel appearing for respondent Nos.1 to 3.

All the petitioners have completed post graduation in their respective subjects. They have appeared for State Eligibility Test (SET) conducted by the Osmania University and they have fared well and they are waiting for the results. While so, the 3rd respondent-Board issued notification on

2.8.2018 calling for applications to the post of Degree College Lecturer in 1st and 2nd respondent societies. But as on the date of notification, the petitioners were not eligible, as the results of SET were released only on 7.9.2018. Hence, their cases were not considered for appointment.

Learned counsel appearing for the petitioners contended that since there are many unfilled vacancies as on the date of issuance of notification on 2.8.2018 and the petitioners are more meritorious and have secured more marks, their cases can be considered for appointment to the post of Degree College Lecturer. It is prayed that appropriate orders be passed directing the respondents to consider the cases of the petitioners for appointment to the post of Degree College Lecturer in the unfilled vacancies, if they are otherwise qualified.

Learned Standing Counsel appearing for respondents 1 to 3 contended that if the petitioners submit a representation afresh seeking appointment as Degree College Lecturers against the unfilled vacancies, the respondents would consider the same and pass appropriate orders.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this Writ Petition can be disposed of directing the

petitioners to submit a representation afresh to the respondents seeking appointment as Degree College Lecturers against unfilled vacancies within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same in accordance with the Bye-laws of the respondents, if necessary, by relaxing the clauses therein and pass appropriate orders within a period of eight weeks thereafter.

Accordingly, the Writ Petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

22nd October, 2019
rkk

JUSTICE ABHINAND KUMAR SHAVILI