

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.35337 of 2018

AND

WRIT PETITION No.12061 of 2019

COMMON ORDER:

These two writ petitions are being disposed of by way of common order, since the issue involved in these two writ petitions is one and the same and the respondents are also same.

Learned counsel for the petitioners submitted that the issue raised in these two writ petitions 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 submitted 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 submitted that without giving any opportunity to the petitioners, the respondents have cancelled the provisional selection of the petitioners on the ground of suppression of their involvement in criminal cases. Therefore, learned counsel submits that appropriate orders be passed in the writ petition by setting aside the impugned cancellation orders dated 08.09.2017 and direct the respondents to re-consider the case of the petitioners in terms of the guidelines framed by the Apex Court in **Avtar Singh**'s case referred to above.

Learned Standing Counsel appearing for the respondents had submitted that since the petitioners have suppressed their involvement in the criminal cases, the respondents have rightly cancelled the provisional

¹ (2016) 8 SCC 471

selection of the petitioners; therefore, there are no merits in the writ petitions and the writ petitions are 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 petitioners 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 orders of cancellation of provisional selection of the petitioners without following the principles of natural justice, therefore, the impugned orders are set aside.

Accordingly, these writ petitions are allowed and the respondents are directed to re-consider the case of the petitioners in terms of the guidelines framed by the Apex Court in **Avtar Singh's** case referred to above. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J