

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).14741-14758/2018

(Arising out of impugned final judgment and order dated 11-05-2018 in LPA Nos.364/2018, 365/2018, 366/2018, 367/2018, 368/2018, 369/2018, 371/2018, 372/2018, 373/2018, 374/2018, 375/2018, 376/2018, 377/2018, 378/2018, 379/2018, 380/2018, 381/2018 and 363/2018 passed by the High Court of Gujarat at Ahmedabad)

SAVANKUMAR MUKESHBHAI BAROT & ORS. ETC.ETC. Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS.ETC. ETC. Respondent(s)

(IA No. 88930/2020 - EXEMPTION FROM FILING AFFIDAVIT  
IA No. 79355/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT  
IA No. 79353/2018 - EXEMPTION FROM FILING O.T.  
IA No. 88079/2018 - INTERVENTION/IMPLEADMENT  
IA No. 88928/2020 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES  
IA No. 185939/2018 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES  
IA No. 79354/2018 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES  
IA No. 93824/2018 - STAY APPLICATION)

WITH SLP(C) No. 2859-2871/2019  
(IA No. 8355/2019 - EXEMPTION FROM FILING O.T.)

Date : 26-04-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER  
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s) Mr. Sudhanshu S. Choudhari, AOR  
Mr. Mahesh P.Shinde,Adv.  
Ms. Rucha A.Pande,Adv.

Ms. Deepanwita Priyanka, AOR

For Respondent(s) Mr. Pradhuman Gohil,Adv.  
Mrs. Taruna Singh Gohil, AOR  
Ms. Ranu Purohit,Adv.  
Mr. R.vishnu Kumar,Adv.  
Mr. Alapati Sahithya Krishna,Adv.  
Ms. Neelu Mohan,Adv.

Ms. Deepanwita Priyanka, AOR

Mr. Ravinder Agarwal, AOR

Mr. Manoranjan Sinha, Adv.

Mr. Aaditya, Adv.

Ms. Rachana Ranjan, Adv.

Mr. Anil Kumar Saxena, Adv.

Mr. Rameshwar Prasad Goyal, AOR

For Applicant/  
University

Mr. Siddhartha Dave, Sr. Adv.

Mr. Shakul R. Ghatole, Adv.

Ms. Jaikriti S. Jadeja, AOR

Ms. Prapti Allagh, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

SLP(Civil)Nos.14741-14758/2018

Application for impleadment is allowed.

The petitioners contend that they have completed their Diploma course in Agriculture from OPJS University, Churu, Rajasthan, as regular students by living in private accommodation since the University does not provide boarding facility to the students. The petitioners applied on-line to the post of 'Gram Sewak' advertised by the respondents on its official website. The petitioners qualified the written examination. However, at the stage of verification their candidatures were rejected on the ground that they had completed their Diploma in Agriculture from OPJS University, Churu, a University situated outside the State of Gujarat. The writ petition, filed by them challenging rejection of their candidature, was dismissed by the High Court. Even Letters Patent Appeal was also dismissed giving rise to

the present special leave petitions.

OPJS University was not a party to the writ petition before the High Court. On 23.07.2019 this Court issued notice to the OPJS University. In response to the notice, OPJS University has filed its counter affidavit stating that it is a recognized University by the U.G.C., conducted a Diploma course in Agriculture at its own campus in Churu after formulating the Syllabus for the Diploma in Agriculture course and then getting it approved by the Academic Council of the OPJS University, in the absence of there being any governing council in the field of Agriculture. The petitioners are the bona fide and genuine students of the OPJS University.

Learned counsel for the petitioners would contend that the High Court was not justified in dismissing their writ petition as also the Letters Patent Appeal on the ground that the Diploma in Agriculture obtain by them from OPJS University, Churu, is situated outside the State of Gujarat. It is also contended that the OPJS University by filing counter affidavit in this petition, has supported their stand.

As noticed above, OPJS University was not a party before the High Court. We are of the view that OPJS University should have been made a party before the High Court for effective adjudication of the dispute.

Therefore, we permit the petitioners to file a review petition before the High Court by impleading OPJS University as a party respondent. It is also open for OPJS University to seek review of the impugned judgment, if it deems fit.

If the review petition(s) is/are filed before the High Court, we request the High Court to dispose of the same as expeditiously as possible.

In case, the petitioners remain unsuccessful before the High Court, liberty is granted to them to approach this Court again for challenging impugned order.

Accordingly, the special leave petitions are disposed of.

Pending applications also stand disposed of.

SLP(C) No. 2859-2871/2019

Heard learned counsel for the parties.

We are not inclined to interfere with the impugned orders. The Special Leave Petitions are accordingly dismissed.

Pending applications also stand disposed of.

(ANITA MALHOTRA)  
COURT MASTER

(KAMLESH RAWAT)  
COURT MASTER