

In The High Court of Judicature for Rajasthan
Jaipur Bench, Jaipur

ORDER

D.B. PIL Petition No.9101/2015

Sandeep Kumar

Vs. Sri Karan Narendra Agriculture University, Jaipur & Anr.

Date :: 18-7-2016

Hon'ble Mr. Justice Ajay Rastogi

Hon'ble Mr. Justice J.K. Ranka

Ms. Rani Bhandari Adv. With

Mr. Parmendra Adv., for petitioner.

Mr. R.A. Katta Adv.]

Mr. Yash Sharma Adv.] for respondents.

Initially when the matter came up before the Court, taking note of the submissions made, operation & effect of the orders Annx.2 dt.16-2-2015 & Annx.6 dt.16-2-2015 was stayed & the interim order was allowed to continue till disposal of the petition vide subsequent order dt.4-9-2015 and the matter has now come up second stay application.

Counsel for petitioner submits that keeping one seat reserved each in UG & PG in terms of clause-1.5 of X-Reservation Policy, is arbitrary excise of power & such reservation is impermissible under the law & has no nexus with the object sought to be achieved and the aspiring candidates may sacrifice their merit which is the touch stone of being considered for their respective UG/PG courses.

Sh. R.A. Katta Adv., appearing for the respondent-University submits that in the academic session-2015-16, admissions have been made and if any effective order is passed by this Court that may affect the rights of the candidates admitted in the last academic session.

Counsel appearing for the added respondents submits that they have been admitted in the academic session-2015-16 for their respective UG/PG courses & at least their rights may not be jeopardized.

We have gone through the material on record including the

reservation policy (Annx.1) & clause-1.5 whereof is quoted ad
infra :

“1.5 Any other category announced by the State Government/University. One seat each in UG and PG will be reserved in the honour and memory of Late Rawal Karan Narendra Singhji of Jobner called as founder Quota, at SKNCOA, Jobner only.”

Heard.

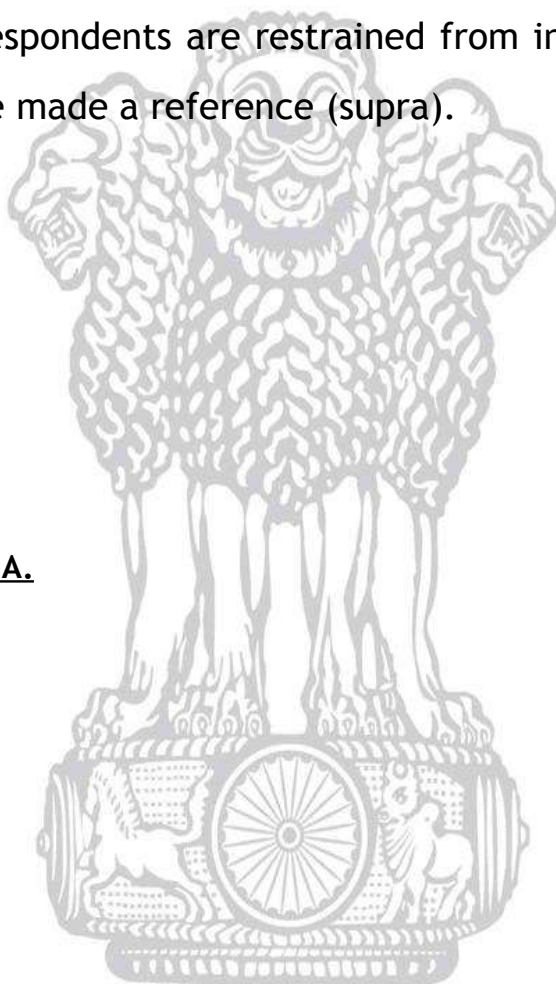
Admit. Fresh notices need not be issued since the parties are represented by their respective counsel.

After hearing counsel for the parties on the second stay application, future effect & operation of clause-1.5 Annx.1 (X-Reservation Policy) shall remain stayed till disposal of the writ petition & the respondents are restrained from invoking clause-1.5 of which we have made a reference (supra).

(J.K. Ranka),J.

(Ajay Rastogi),J.

VS Shekhawat Sr.P.A.



सत्यमेव जयते