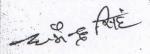
माननीय राजस्थान उच्च न्यायालय, जयपुर

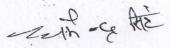
१८०/ ऽ एकलपीठ याचिका सख्या /२०

- 1. धमेन्द्र सिंह पुत्र श्री बजरंग सिंह, निवासी सिविल लाईन्स, नयापुरा कोटा, (एल.डी.सी)
- 2. ओम प्रकाश रैगर पुत्र श्री रामचन्द रैगर, निवासी आबकारी ऑफिस के पीछे, झालावाड (चतुर्थ श्रेणी कर्मचारी)
- लक्ष्मण गुर्जर पुत्र श्री रामनारायण गुर्जर, निवासी पुराना मोटर गैराज, झालवाड (चतुर्थ श्रेणी कर्मचारी)
- 4. राजेश कश्चप पुत्र श्री जगदीश चन्द, निवासी नला मोहल्ला, तोपखाना रोड, झालावाड, (चतुर्थ श्रेणी कर्मचारी)
- 5. मनोज कश्चप पुत्र श्री हेमराज कश्चप, निवासी भाई मोहल्ला, झालावाड (चतुर्थ श्रेणी कर्मचारी)
- 6. कालू लाल पुत्र श्री त्रिलोक चन्द, निवासी जारों के मन्दिर के पास, झालरापाटन, जिला झालावाड (चतुर्थ श्रेणी कर्मचारी)
- फरीदुल्ला पुत्र हमीदुल्ला, निवासी मंगलपुरा, खारी बावडी, झालवाड (चतुर्थ श्रेणी कर्मचारी)
- 8. सीमा बाई पत्नी श्याम लाल, निवासी पुराना मोटर गैराज झालाबाड, (चतुर्थ श्रेणी कर्मचारी)
- 9. तारा बाई पत्नी श्री रामस्वरूप निवासी पुराना मोटर गैराज, झालाबाड, (चतुर्थ श्रेणी कर्मचारी)



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- 10. लखन चारण पुत्र श्री निर्मल चारण, निवासी पुराना मोटर गैराज, झालाबाड, (चतुर्थ श्रेणी कर्मचारी)
- 11. अजय कुमार पुत्र श्री राजाराम निवासी पुराना मोटर गैराज, झालाबाड, (चतुर्थ श्रेणी कर्मचारी)
- 12. दीपक सरसिया पुत्र श्री मोहन लाल, निवासी सुरजपोल गेट बाहर, हरिजन बस्ती, झालरापाटन, (चतुर्थ श्रेणी कर्मचारी)
- 13. दीपक तमोली पुत्र श्री रमेश तमोली निवासी पुराना मोटर गैराज, झालावाड, (चतुर्थ श्रेणी कर्मचारी)
- 14. सन्नी चौहान पुत्र श्री रामू जी, निवासी पुराना मोटर गैराज,झालावाड (चतुर्थ श्रेणी कर्मचारी)
- 15. विजय कुमार पुत्र श्री राजाराम, निवासी पुराना मोटर गैराज, झालावाड (चतुर्थ श्रेणी कर्मचारी)
- 16. प्रेम चन्द कछवा पुत्र श्री रामगोपाल, निवासी 65, नेमी नगर, लालबाग, झालावाड (एल.डी.सी)
- 17. तेजमल रैगर पुत्र श्री मोती लाल रैगर, निवासी गोलाना, तहसील खानपुर, झालवाड (एल.डी.सी)
- 18. राजू लाल पुत्र श्री मांगी लाल, निवासी खानपुरिया, तहसील झालावाड, (एल.डी.सी)
- 19. मनीष मेहरा पुत्र श्री मोहन लाल, निवासी गोदाम की क्लाह्म पार झालावाड (एल.डी.सी)



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- 20. अंकिता चौधरी पत्नी श्री सन्जन सिंह, निवासी बाईपास रोड, सुभाष नगर, झालावाड (एल.डी.सी)
- 21. देवेन्द्र कुमार वर्मा पुत्र श्री रामकिशन तर्मा, निवासी हरिगढ, तहसील खानपुर, जिला झालावाड (एल.डी.सी)
- 22. रोहित मालवीय पुत्र श्री श्याम लाल, निवासी पुराना मोटर गैराज, झालवाड (लेब अटेण्डेन्ट)
- 23. कपिल क्षोत्रिय पुत्र श्री कैलाश चन्द, निवासी 81, इत्रा मन्दिर. नेमी नगर, झालरापाटन, (टैक्निशियन)
- 24. चौथमल वर्मा पुत्र श्री हीरा लाल, निवासी बहादुर सिंह की गली, पोस्ट भूदोली, सीकर (लाईब्रेरियन)
- 25. अजय कुमार पुत्र श्री मांगी लाल भील, निवासी ग्राम खारिया, पोस्ट जुल्मी, तहसील रामंगज मण्डी, जिला कोटा, (टैक्निशियन)
- 26. फुलचन्द गुर्जर पुत्र श्री बालूराम, निवासी झालरापाटन, झालावाड (टैविनशियन)
- 27. नितिन पाठक पुत्र श्री शिव नारायण पाठक, निवासी गोदम की तलाई, पी.डब्ल्यू.डी. गोदाम के पास, झालावाड (टैक्निशियन)
- 28. मुकेश कुमार लोढा पुत्र श्री बद्री लाल, निवासी सेवनियाँ तहसील छीपाबडौद, बारां, (लेब अटेण्डेन्ट)
- 29. कैलाश कुम्हार पुत्र श्री बाबूलाल, निवासी ग्राम मोहण्डी, झालावाड (टैक्निशियन)

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- 30. रामेश्वर पुत्र श्री कन्हैया लाल, निवासी देव नगर, झालरापाटन, जिला झालावाड, (टैक्निशियन)
- 31. प्रदीप कुमार पुत्र श्री दुर्गा प्रसाद, निवासी रिछवा, तहसील झालरापाटन, जिला झालावाड (टैकिनशियन)
- 32. अशोक कारपेन्टर पुत्र श्री जगदीश निवासी सारथल, तहसील छीपाबडौद, झालावाड (टैक्निशियन)
- 33. मोनिका तंवर पुत्री श्री सुरेश कुमार तंवर, निवासी गागरोन गेट, कसाई मोहल्ला, झालावाड (लेब अटेण्डेड)
- 34. नितन नामदेव पुत्र श्री बृजमोहन नामदेव, निवासी पुराना पोस्ट ऑफिस, मंगलपुरा, झालवाड (एल.डी.सी.)
- 35. सुनील कश्चप पुत्र श्री राधेश्याम कश्चय निवासी राडी के बालाजी रोड, बालाजी नगर, झालावाड (टैक्निशियन)
- 36. कृष्ण मुरारी माली पुत्र श्री चम्पा लाल माली, निवासी खानपुरा जिला झालावाड (लेब अटेण्डेड)
- 37. संदीप मालवीय पुत्र श्री श्याम लाल, निवासी पुराना मोटर गैराज, झालवाड (वेल्डर)
- 38. रवि कुमार पुत्र श्री लड्डू लाल टांक, निवासी पुराना मोटर गैराज, झालवाड (लेब अटैण्डेड)

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बनाम

- राजस्थान सरकार जिरेये शासन सचिव तकनीकी शिक्षा विभाग,
 राजस्थान सरकार, सचिवालय, जयपुर।
- 2. राजकीय अभियान्त्रिकी महाविद्यालय झालावाड, जरिये प्राचार्य अप्रार्थीगण

एकलपीठ याचिका अन्तर्गत अनुच्छेद २२६ भारतीय संविधान एवं

अन्तर्गत अनुच्छेद 14, 16 एवं 21 भारतीय संविधान बाबत नियमितिकरण

बाबत परिपत्र संख्या F.1(4)FD/rules/2011 pt.II, dated 27 July, 2014 माननीय कार्यवाहक मुख्य न्यायाधिपति एवं उनके सहयोगी न्यायाधिपतिगण, माननीय उच्च न्यायालय, जयपुर। श्रीमानजी,



SB CIVIL WRIT PETITION NO.9306/14, 12240/14 & 13013/14.

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT JAIPUR

1. SB CIVIL WRIT PETITION NO. 9306/14.

DHARMENDRA SINGH & ORS. - PETITIONERS. STATE OF RAJ. & ANR. - RESPONDENTS.

WITH

CIVIL WRIT PETITION NO. 12240/14.

AJAY MATHUR - PETITIONER. STATE OF RAJ. & ANR. - RESPONDENTS.

WITH

3. SB CIVIL WRIT PETITION NO.13013/14.

DHARMENDRA SINGH & ORS. - PETITIONERS.

STATE OF RAJ. & ANR. - RESPONDENTS.

DATE OF ORDER

11th DECEMBER, 2014.

PRESENT HON'BLE MS. JUSTICE BELA M. TRIVEDI

Mr. K.C. Sharma with

Mr. Ram Pratap Saini for the petitioners.

Mr. Abhinav Sharma AAG with

Mr. Deven Pareek and

Mr. Tanveer Ahmed for the respondents.

BY THE COURT

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All the three petitions were tagged together, having been filed by the same group of the petitioners against the same respondents involving same issues. They heard शरमभेन जयरे were together and are being disposed of by this common order.

At the outset, it is required to be stated सही - प्रशिक्षिप that these petitions filed at the instance किंद्यान उच्च न्यायालय पी प्रवासिक विचानी स्वासि

the petitioners are not only vexacious litigations but the petitioners have taken the court for a ride by filing the petitions one after the other, suppressing material facts, and have held the respondents to a ransom under the garb of ex-parte ad-interim orders passed by the court, which shall be demonstrated hereinafter.

Initially one Sunil Kumar had filed the SBCWP NO. 9533/12, for setting aside the notice inviting tender dated 7.6.12 by which the respondent-college had sought to engage the placement agency. In the said petition, the coordinate bench of this court passed the following order on 10.2.14:

"The petition is therefore disposed of directing the respondents that even if the placement agency appoints any other person, preference shall be given to the petitioner and the already existing contractual employees rather than availing the services of the new contractual employees. In other words, the placement agency shall be under compulsion to engage those who were already engaged by the respondents on the same terms and conditions if they want to avail the services of Technician or of any other post."

Thereafter the petitioners Kailash Kumar and other 18 petitioners, who are also the petitioners in the present petitions, had read of the SBCWP No. 6320/14 seeking directions against the respondents interalia not to treat the services of the petitioners 3

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under the placement agency and treat them as the as direct employees. The said petition was disposed of by the coordinate bench vide order dated 14.8.14 directing the respondents to consider the petitioners' grievances and further directing the respondents not to substitute the petitioners by another set of contractual employees. Thereafter the said petitioners of SBCWP No. 6320/14 alongwith some other petitioners again filed the SBCWP seeking directions against the No. 9306/14 respondents intenalia to allow petitioners to continue on their respective posts, and not to replace their services another set of contractual /dailywages temporary/ placement agency, and further to treat the petitioners as the direct employees of the respondent-college. It is pertinent to note that the SBCWP No. 9306/14 was filed by the petitioners without disclosing the filing of earlier petition being No. 6320/14. Not only that the averments and prayers in both the petitions were verbatim the same, except changing the chronology of paragraphs. In the said writ petition being SBCWP No. 9306717 while issuing the notices to the respondents, the coordinate bench passed following parte ad-interim order on 8.9.14:-

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"In the meanwhile, if the respondents want to avail services of any person on any post held by the petitioners, preference shall be given to them over any other new incumbent inasmuch their services shall not be replaced by any other contractual/temporary/daily wager/ad hoc appointee on payment of consolidated salary/daily wages."

5. Pending the said writ petition being SBCWP No. 9306/14, one Ajay Mathur, who was also the petitioner in SBCWP No. 9306/14 filed the SBCWP No. 12240/14 against the respondents seeking direction to set aside the advertisement dated 18.10.14 issued by the respondent Government Engineering College and restraining the respondents from appointing the new employees in lieu of the old employees, in view of the order dated 10.2.14 passed by the court in SBCWP No. 9533/12. In the said writ petition being SBCWP No. 12240/14, the coordinate bench directed the counsel for the petitioner to supply the copy of the petition to the Add. Advocate General Mr. Abhinav Sharma further passed the ex-parte order that the petitioner shall not be discontinued and shall be allowed to continue. After passing of the said order, the other petitioners who were also the petitioners in SBCWP No. 9306/14 filed another petition being SBCWP

No. 13013/14 seeking the same relief as

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prayed for by the petitioners in the writ petition being SBCWP No. 12240/14. In both the petitions i.e. SBCWP No. 12240/14 and 13013/14, the petitioners had not mentioned the fact of their filing the earlier writ petition being SBCWP No. 9306/14.

- 6. In all these petitions, the replies have been filed on behalf of the respondent-Government Engineering College, Jhalawar, raising preliminary objections as maintainability of the petitions, highlighting, the misconduct of petitioners as to how the process of law was misused, concealing the material facts. The said respondent has also placed on record as to how the petitioners had disrupted the academic atmosphere of the college proceeding on strike and holding the entire college to a ransom, under the garb of the ex-parte orders passed by the court from time to time.
- It is sought to be submitted by the learned counsels Mr K.C. Sharma and Mr. R.P. Saini for the petitioners that the petitioners were working with the respondents on different posts since a long time and that though the respondents college had started appointing the employees through placement agency, the petitioners were continued on their posts

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from time to time. According to the learned counsels for the petitioners, the respondentcollege was paying huge amount to the placement agency (i.e. the respondent No.4 M/s. Rajendra Sharma in the SBCWP 9306/14), for providing the services on contractual basis, depriving the rights of the petitioners to be continued on the permanent basis. They further submitted that though the court had directed the respondents not to replace the services of petitioners by other contractual/temporary appointees, the respondent-college had issued advertisement inviting the applications from the registered contractors and placement agencies. Relying upon the decisions of Single Bench of this court in case of Sunil Kumar Vs. State of Raj. & Anr. (supra), they submitted that the court had given specific directions to the respondents that even if the placement agency appoints any other person, preference shall be given to the petitioners, however, the respondents jeopardising the rights of the employees, are bent upon engaging another placement agenty almost which should not be permitted. They have also relied upon the other decisions of this court in case of Radka Rani Vs. State of Raj. & 45

Ors. decided on 4.8.11 in SBCWP No. 7178/11 विकास

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and others, as also the order passed by the court in the petition being SBCWP No. 6320/14 filed by the petitioners themselves.

learned Addl. Advocate General Abhinav Sharma alongwith Mr. Tanveer Ahmed appearing for the respondents vehemently submitted that the petitions having been filed by the petitioners grossly misusing the process of law and suppressing the material facts, the same deserve to be dismissed with exemplary costs. They further submitted that there being disputed questions of facts involved in the petitions, and the alternative remedy of approaching the Labour Court being available to the petitioners, the High Court should not entertain these petitions. Assailing the ex-parte orders passed by the coordinate bench in the present petitions as well as in the earlier petitions by the petitioners, Mr. Sharma submitted that the alleged action of the respondents, within the realm being contract, it was not open for this court to judicially review the decision of the respondents, nor the court should have directed without giving opportunity of | सरवरीन वयते hearing to the respondents as to whether any other reasonable decision or course of action could have been taken by the respondents or

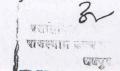


not. In this regard Mr. Sharma has relied upon the decision of the Apex Court in case of Gridco Ltd. & Anr. Vs. Sadananda Doloi & Ors. AIR 2012 SC 729. Mr. Sharma has also placed heavy reliance on the decision of the Apex Court in the case of Secretary, State of Karnataka Vs. Uma Devi & Ors. (2006) 4 SCC 1 to submit that the contractual appointments come to an end at the end of the contract.

- According to Mr. Sharma for the respondents, in any case the petitioners were the employees of the placement agency i.e. M/s. Rajendra Sharma, the respondent No.4, and the said respondnet No.4 also having refused continue the contract with the respondentcollege, the court could not and should not have compelled the college or the placement agency, which might be appointed by the college, to continue the petitioners in the employment, as directed in SBCWP No. 9533/12, more particularly when the petitioners had spoiled the entire atmosphere of the college by going on strike behaving like hooligans.
- 10. Having regard to the submissions made by the learned counsels for the parties and to the documents on the record, the undisputed facts that emerge are that the petitioners were never employed by the respondent-college, but

विशासीतः समि नि स्तर्भक्तः। राजस्थान रुज्य स्थानस्थ पीड सम्बुद्ध were the employees of the placement agency which was engaged by the respondent-college on contractual basis. It appears from the reply filed by the respondent-college that the respondent-Govt. Engineering College is a society which was registered on 30.6.10 and prior to that, the college was being run by the society registered under the society governing the Engineering Colleges at Ajmer. The respondent-college is governed by the Executive Council, which had decided outsource the services of non-teaching staff through placement agency and accordingly M/s. Rajendra Sharma, a placement agency of Ajmer, also providing services erstwhile college, was engaged respondent-college at Thalawar. The agreement with the said placement agency was continued till 2014, however, the employees of the said agency including the present petitioners went on strike with the demand that they should be given permanent appointments in the college. It is alleged by the respondents that the petitioners had held the priprietor of the said firm i.e. Mr. Rajendra Sharma as hostage and threatened him of dire consequences, in respect of which the said Rajendra Sharma had also filed a complaint. The copy of the said complaint is also placed on the record by the

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respondents alongwith the reply as R-2/9/A and R-2/9/3. Again in the month of August 2014, the petitioners and other employees resorted to strike in a violent manner threatening to stall the functioning of the college. The Principal of the respondentcollege, therefore had written letters to the said placement agency M/s. Rajendra Sharma and in response thereto the said placement agency requested the college to terminate his contract and engage the services of some other agency. As transpiring from the record, the respondent-college had also requested the Government, and accordingly the Joint Secretary, Technical Education had permitted the college to make stopgap arrangements against 39 sanctioned posts vide the letter dated 19.9.14. The respondents under the circumstances had published the notice dated 18.10.14 inviting the tenders from registered contractors.

11. It is very pertinent to note that the petitioners of SBCWP No. 9306/14 (who are also the petitioners in SBCWP No. 12240/14 and 13013/14) had not disclosed about the pendency of Writ Petition No. 6320/14 and had filed the said petition making same averments and seeking almost the same prayers, as sought in SBCWP No. 6320/14, except changing

प्रमुपर

the chronology of paragraphs, and therefore the petition No. 9306/14 deserves to be dismissed on that around alone. otherwise, on merits also the petitioners have no legs to stand. In the said Writ Petition No. 9306/14, the petitioners have prayed to treat them as the direct employees of the respondent-college and continue them on the respective posts, and to direct the respondents not to replace them by another of contractual employees/placement agency. IN the other two petitions also the petitioners have prayed to restrain respondent-college from employing employees in their place, in view of the order passed by the Single Bench of this court in SBCWP No. 9533/12. In the opinion of this court no such prayers could be granted in view of the position of law settled by the Apex Court in catena of decisions.

12. The Apex court in the case of Secretary, State of Karnataka Vs. Uma Devi (supra), has categorically held that the contractual appointment comes to an end at the end of the 43 contract. The relevant para No. reproduced as under :-

"Thus, it is clear that adherence to the rule of equality in public employment is a basic feature of our Constitution and since the rule of law is the core of our Constitution, a Court would certainly bear and a court would certainly bear and a court would remain a court would r disabled from passing an order upholding a

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violation of Article 14 or in ordering the overlooking of the need to comply with the requirements of Article 14 read with 16 Article of the Constitution. Therefore, consistent with the scheme for public employment, this Court while laying down the law, has necessarily to hold that unless the appointment is in terms of the relevant rules and after a proper competition among qualified persons, the same would not confer any right on the appointee. If it is a contractual a proper appointment, the appointment comes to an end at the end of the contract, if it were an engagement or appointment on daily wages or casual basis, the same would come an end when it is discontinued. Similarly, a temporary employee could not claim to be made permanent on the expiry of his term of appointment. It has also to be clarified that merely because a temporary employee or a casual wage worker is continued for a time beyond the term of his appointment, he would not be entitled to be absorbed in regular service or made permanent, merely on the strength of such continuance, if the original appointment was not made by following a due process of selection as envisaged by the relevant rules. It is not open to the court to prevent regular recruitment instance of temporary employees whose period of employment has come to an end or of ad hoc employees who by the very nature of their appointment, do not acquire any right. High Courts acting under Article 226 of the Constitution of India, should not ordinarily issue directions absorption, regularization, or permanent continuance unless the recruitment itself was made regularly and in terms of the constitutional scheme. Merely because, an employee had continued under cover of an order of court, which we have described as 'litigious employment' in the earlier part of the judgment, he would not be entitled to any right to be absorbed or made permanent in the service. such cases, the High Court may not be justified in issuing interim directions, employee approaching it is formately the employee approaching it is found entitled to relief, it may be possible for it to mould the relief in such a manner that ultimately no prejudice will be caused to whereas an interim direction to continue his employment would hold up the regular procedure for selection or impose प्रकासनिक वर्षि । में न्यांकि

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on the State the burden of paying an employee who is really not required. The courts must be careful in ensuring that they do not interfere unduly with the economic arrangement of its affairs by the State or its instrumentalities or themselves the instruments to facilitate the bypassing of the constitutional and statutory mandaces."

13. In the instant case, the petitioners were never employed by the respondent-college, but were employed by the respondent-placement agency which agency was engaged by the respondent-college on contractual basis. could not be said that it petitioners were appointed by the respondentcollege on contractual basis. That apart, even as per the aforesaid legal position, the persons employed on contractual basis would not have any right over the posts and their services would come to an end with the end of the contract. The Constitutional Bench of the Apex Court in the said decision of the Secretary, State of Karnataka Vs. Uma Devi (supra) had also while considering earlier judgments obseved interalia that the appointments made without following the due process or the rules did not confer any right on the appointees and the courts cannot all and direct their absorption or regularisation, or re-engagement or making them permanent, and that any decision running counter to the said decision (i.e. of Uma

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Constitutional Bench) would stand denuded of their status as precedents. In view of the specific mandate given by the Apex Court in the said decision of Uma Devi, the petitioners cannot seek relief to continue them or to treat them as the direct employees of the respondent-college, relying upon the decisions of the Single Bench of this court.

The engagement of the petitioners by the placement agency do not confer any right on the petitioners much less the right to be treated as the direct employees of the respondent-college. It is also very pertinent to note that the respondent M/s. Rajendra Sharma who had engaged the petitioners and who was the earlier placement agency engaged by the respondent-college has also refused to continue the contract with the respondentcollege, and under the circumstances, the respondent college has no alternative but to engage the new placement agency by way of stopgap arrangement till the regular posts are filled up by the regular recruitment process. It cannot be gainsaid that respondent-college being Government Col regular fill the posts by should up employment after following the due process of law, and it should not continue to engage the agencies on contractual (basis, placement

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nonetheless the petitioners cannot matter of right demand their continuation or permanence of employment with the respondentcollege as sought in the present petitions. Though much reliance has been placed by the petitioners on the decision of the Single Bench of this court in the case of Sunil Kumar Vs. State of Raj. (supra), whereby the court had compelled the placement agency that might be engaged by the respondent-college, to continue the petitioners, the said decisin loses its significance in view of the legal position settled by the Apex Court in case of Secretary, State of Karnataka Vs. Uma Devi & Ors. (supra) and other decisions. The Apex Court in case of Gridco Ltd. & Anr Vs. Sadananda Doloi & Ors. (supra) has also reiterated the termination that contractual employment in accordance with the terms of the contract is permissible and the employee could not claim any protection against such termination, even when one of the contracting parties happens to be the State. It has been observed in Para 26 as न्त्रावालक under :-

conspectus of pronouncements of this court and the the development of law over few decades thus show that there the past been a notable shift from the legal position settled stated in earlier decisions, that termination contractual employment in accordance of

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with the terms of the contract was permissible and the employee could could no protection against such termination even when one of the contracting parties happened to be the State. Remedy for a breach of condition contractual was also of civil by way action damages/compensation. With development of law relating to judicial review of administrative actions, a writ Court can now examine the validity of a termination order passed by public authority. It is no longer open to the authority passing the order to argue that its action being in the realm of contract is not open to judicial review. A writ Court is entitled to judicially review action and determine whether there any illegality, perversity, unreasonableness, unfairness irrationality that would v vitiate the action, no matter the action is in the realm of contract. Having said that we must add that judicial review cannot extend to the Court acting as an appellate authority sitting in judgment over the decision. The Court cannot sit in the arm chair of the Administrator to decide whether a more reasonable decision or course of action have been taken in the circumstances. So long as the action taken by the authority is not vitiated by shown to infirmities the referred to above and so long the action is not demonstrably outrageous defiance of logic, the writ Court would do well to respect the decision under challenge."

15. In view of the above stated factual and legal position, the court does not find any merits in any of the writ petitions, and rather finds that the petitioners had misused the process of law by filing the petitions one after the other suppressing material facts, and therefore the petitions deserve to be

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dismissed with cost, which is quantified at Rs. 5,000/- per petition. All the writ petitions stand dismissed with costs accordingly. The costs shall be paid to the respondent No.3-college.

16. By this order, the stay application and other pending applications if any, also stand disposed of.

(BELA M. TRÍVEDI) J.

MRG.

