

1  
**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
WP No. 6346 of 2022**

*(SATENDRA SINGH BHADAURIA Vs THE STATE OF MADHYA PRADESH AND OTHERS)*

**Dated : 27-04-2022**

Shri Aditya Sanghi, learned counsel for the petitioner.

Shri Rameshwar Singh Thakur, learned counsel for the Caveator.

Shri Vinayak Prashad Shah with Shri Uday Kumar, learned counsel for the intervenor.

Shri Prashant Singh, learned Advocate General with Shri Ashish Anand Bernard & Shri Bharat Singh, learned Additional Advocate General & Ms. Shweta Yadav, Government Advocate for the respondent/State.

1. Counsel for the petitioner submits that in all identical cases, the interim relief has already been granted and those orders vide Annexure P-14 and Annexure P-15 and thus, has prayed for same interim relief. The interim relief prayed for in a memorandum of petition is as follows:-

"During pendency of the instant writ petition, the petitioner prays that the Mains Examination for State Services Preliminary Examination-2020/State Forest Service Preliminary Examination, 2020 be stayed and the revised result of M.P. State Services Preliminary Examination-2020/State, Forest Service Preliminary Examination-2020 be declared on the basis of 14% reservation to the OBC Category candidates in the interest of justice."

2. Per contra, learned Advocate General opposes the prayer for interim relief on the ground that the process of examination is still undergoing and no appointments have yet been made thus, according to the learned Advocate General at this stage, the petitioner is not entitled for any interim relief.

3. The issue which is involved in all the present writ petitions as regards the conferment of the benefit of reservation to OBC Category to the extent of 27%. The interim order passed in all connected matters in this bunch of petition is to the effect that the respondent shall ensure that reservation for OBC Category shall not be more than 14% while declaring the result of concerned examinations.

4. Even in one of the writ petition being W.P. No. 3833/2022, this bench passed an interim order dated 22/02/2022 which was assailed by the

instrumentalities of the State by filing Special Leave Appeal in the Apex Court. The said Special Leave Appeal has been disposed of with the following observations:-

"Without entering into the merits of the submission that are made by the learned SGI, keeping in mind the importance of the matter which relates to admission to Ayush courses for the academic year 2022-2023, we request the High Court to expedite the hearing and dispose it of at the earliest. The learned SGI submitted that the impugned order was made available only on 26.02.2022 and the seat allotment was made in accordance with the notification dated 28.01.2022 by that date. He submitted that the scheduled last date for seat allotment was 24.02.2022. In case, this Court is not inclined to entertain with the order passed by the High Court, the ld. SGI requested this Court to extend the last date for admissions in view of the reallocation that has to be done pursuant to the order passed by the High Court. We are of the view that such a request can be made before the High Court which shall be considered in accordance with law."

5. Thus, since the interim orders are in operation in number of petitions to maintain parity, we direct the respondent to ensure that the reservation for OBC Category shall not be more than 14% while carrying out the process of M.P. State Services, Preliminary/Main Examination-2020.

6. It is made clear that this interim measure is based purely on principle of parity.

7. List alongwith W.P. No. 5901/2019 on **22/06/2022**.

(SHEEL NAGU)  
JUDGE

(MANINDER S BHATTI)  
JUDGE