

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

AND

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

WRIT PETITION Nos.6805 AND 6935 OF 2015

COMMON ORDER: (*Per Hon'ble Sri Justice M. Satyanarayana Murthy*)

Both these Writ Petitions are preferred by the State, separately, challenging the common order dated 25.08.2014 passed in O.A. No.590 of 2014 and O.A. No.9279 of 2013 by the Andhra Pradesh Administrative Tribunal at Hyderabad (for short, 'the Tribunal').

2. Brief facts relating to filing of these Writ Petitions are as follows: Pursuant to issuance of G.O.Ms. No.1849, Revenue (VO) Department, dated 28.10.2005, and in response to issuance of public notice *vide* Rc.No.480/2006-C, dated 26.07.2006, by the 3rd petitioner, who is appointing authority under Rule 5 of A.P. Village Servants Service Rules, 2005 (For short, 'the Service Rules'), 1st respondent herein applied to the post of Village Revenue Assistant (Village Servant) and, after due process of selection, he was appointed to the post of Village Revenue Assistant (for short, 'VRA') for Narasaraopet village, *vide* proceedings of the 3rd petitioner dated 26.07.2006. Subsequent to his appointment, he reported to duty on 01.08.2006 and his salary, initially, was paid for two months and, later, when his salary bill for 3rd month was submitted by the 3rd petitioner, the Audit Department raised an objection stating that his appointment was contrary to Act No.2 of 1994. As his subsequent salary bills, denying payment of salary, were not honoured, he approached the Tribunal by filing O.A. No.10019 of 2011, seeking a direction to the petitioners herein to pay his salary and allowances, as per the rules. An *interim* order was

granted in that O.A. and, later, it was disposed of on 27.12.2011 with a direction to the petitioners herein to conduct enquiry into the issue, whether his salary and allowances were discontinued from September, 2006, as contended by the petitioners and then by taking into consideration the report of the enquiry officer, further action with regard to payment of salary of the 1st respondent herein be taken. Accordingly, the Revenue Divisional Officer (RDO), Narasaraopet, who conducted enquiry into the matter, submitted his report on 31.12.2003 holding that the 1st respondent was initially appointed as VRA, as per G.O.Ms. No.1849 dated 28.10.2005 and, subsequently, continuing his services has not followed the instructions issued in G.O.Ms. No.1849; hence, the contention of the 1st respondent that he was continuing without payment of honorarium was not proved by adducing evidence to continue in service and to claim remuneration.

3. Subsequently, the District Collector, Guntur, 2nd petitioner herein, accepted the enquiry report of the RDO and issued the proceedings in Rc.No.273/2012-A2, dated 16.01.2014, rejecting the request of the 1st respondent herein for payment of arrears of his salary. The 2nd petitioner further observed therein that the 1st respondent is not entitled for continuance of service, as he was originally appointed on temporary basis to the post of VRA, and his appointment is contrary to Act No.2 of 1994.

4. The respondents, in the *interregnum* period, issued notification notifying the post of VRA, Narasaraopet, as vacant. Aggrieved thereby, the 1st respondent herein filed O.A. No.9279 of 2013 contending that when he was appointed on permanent basis to the alleged notified vacant post, the petitioners cannot again notify the same and contended that his appointment was made after following the procedure contemplated in G.O.Ms. No.1849, dated 28.10.2005; it is not open to the petitioners to again notify the alleged vacant post and sought the relief of payment of arrears of salary and continuance of service.

5. The petitioners herein filed separate counters in both the O.As admitting the factum of appointment of 1st respondent herein to the post of VRA, *vide* proceedings

of the 3rd petitioner dated 26.07.2006, and also payment of his salary for a period of two months, *interalia* contending that the 1st respondent was appointed as VRA, Narasaraopeta village on temporary basis and subject to condition that his services can be terminated at any point of time without notice and as such he is not entitled to claim continuance of service and entitled for salary. It is further contended that, the maximum period, the 1st respondent herein can be in service as temporary employee is only for two years and after completion of the stipulated period, he is disentitled to continue in service. The petitioners, however, admitted that acting upon the report of the RDO, they rejected the claim of the 1st respondent for payment of arrears of his salary and his continuance in service. Since the 1st respondent was removed from service and as per the records of Tahsildar, Narasaraopet, the post of VRA was vacant for more than 5 years; they notified the vacancy of VRA at Narasaraopet. Hence, there is no illegality in issuing notification, denying the salary to the 1st respondent and prayed to dismiss both the O.As.

6. After hearing argument of both the counsel, the Tribunal allowed both the O.As, *setting-aside* the proceedings in Rc.No.273/2012-A2, dated 16.01.2014 and Ref.No.2021/2013-A2, dated 28.12.2003 issued by the District Collector, Guntur, and directed the petitioners herein to continue the 1st respondent as VRA on permanent basis and to pay his honorarium including arrears within a period of two months from the date of receipt of a copy of the order. It was further observed therein that the evidence adduced by Sri P. Ramesh Kumar, the Mandal Revenue Inspector – II, Narasaraopet, was disbelieved by the RDO in his enquiry report and that when the petitioners extended the benefit of implementing the order in O.A. No.10019 of 2011, removal of 1st respondent from the post of VRA is illegal.

7. In support of it's finding, the Tribunal relied upon its earlier order dated 01.07.2010, passed in O.A. No.1326 of 2010, wherein, under similar circumstances, the Tahsildar, Tenali, terminated the services of the applicant, who was appointed as VRA on temporary basis, after following the due process of selection, as per G.O.Ms. No.1849 dated 28.10.2005, the applicant therein questioned his termination order holding that he was recruited on permanent basis to the post of VRA and as such it was not open to the Revenue Authorities to terminate his services and further

held that Act 2 of 1994 has no application to the appointment of Village Servants since he was appointed after framing of the Service Rules, and G.O.Ms. No.1849 dated 28.10.2005, the Tribunal, accordingly, allowed the O.A. No.1326 of 2010. Therefore, applying the same principle to the present facts of the case, the Tribunal allowed both the O.As. and issued similar direction.

8. Aggrieved by the impugned order passed by the Tribunal in O.A. Nos.590 of 2014 and 9279 of 2013, the State preferred these two Writ Petitions reiterating the contentions earlier raised before the Tribunal and specifically contended that there is abnormal delay of 5 years 4 months in filing the O.A. No.10019 of 2011. The orders passed in O.A. No.10019 of 2011, which was disposed of on 27.02.2013, became final. Therefore, the petitioners issued orders under challenge. Questioning the same, the 1st respondent herein preferred O.A. Nos.9279 of 2013 and 590 of 2014. It is specifically contended by the petitioners herein that while deciding the O.As filed by the 1st respondent, the 1st respondent relied on the order in O.A. No.1326 of 2010 which has no relevancy to the present facts of the case for the reason that the appointing authority in its detailed appointing order admitted that the individual's services were utilized for all sorts of works in the Department and made his appointment under Rule 9(1) of the Services Rules, which is general practice even in other Service Rules also during the initial appointments but in the present case, no such appointment order was issued and the 1st respondent was appointed purely on temporary basis with a specific clause reserving the right with the petitioners to remove him from service at any point of time without notice. Therefore, the order passed in O.A. No.1326 of 2010 will have no bearing on the facts of the present case.

9. It is further contended that the 1st respondent fabricated the evidence like photographs, statements from Village Revenue Officers, Mandal Revenue Officers and Mandal Revenue Inspector *etc.*, and produced the same before the Tribunal and the Tribunal also observed that the evidence produced before it was posterior to filing of the OAs, but committed an error in allowing the O.As filed by the 1st respondent.

10. The contention of learned counsel for the 1st respondent that the 1st respondent was terminated from service, without any enquiry, is untenable for the reason that he was appointed purely on temporary basis and even otherwise, as per the directions of the Tribunal, an enquiry was conducted by the RDO and thereafter, he was terminated from the service. Hence, the finding of the Tribunal, taking into consideration the evidence of P. Ramesh Kumar, Mandal Revenue Inspector (Rural), dated 07.10.2012, who was the in-charge of Mandal Revenue Inspector (Urban), Narasaraopet with regard to payment of Rs.50/- or Rs.100/- whenever the 1st respondent assisted him in the work. The Tribunal has also placed reliance on the directions issued in O.A. No.10019 of 2011 and implementation of the order but the petitioners were compelled to implement the order and paid salary to the 1st respondent only for the month of August, 2006 *i.e.*, the actual period worked by him as VRA. The same was informed to the 1st respondent *vide* notice in Rc.No.67/2012-D, dated 04.02.2012 through VRO Narasaraopet-I and the same was rejected by the 1st respondent. Therefore, placing reliance on the order passed in O.A. No.1326 of 2010 relating to appointment of Village Revenue Assistant of Tenali and the implementation of the order in O.A. No.10019 of 2011 while deciding the instant O.As. filed by the 1st respondent herein is erroneous and prayed to *set-aside* the orders passed by the Tribunal in O.A. Nos.9279 of 2013 and 590 of 2014, dated 25.08.2014.

11. At the stage of admission, learned Government Pleader for Services (AP), would contend that appointment of the 1st respondent was purely on temporary basis and his services can be terminated at any time. Therefore, the petitioners felt that his services were not required and issued proceedings under challenge before the Tribunal. Moreover, placing reliance on the order passed in O.A. No.1326 of 2010 pertaining to the Village Servant appointed in Tenali is an error apparent on the face of the record for the reason that the VRA therein was appointed on permanent basis and his appointment order itself is sufficient to conclude that his appointment was permanent. Whereas, the 1st respondent herein was appointed on temporary basis

and as such he has no right to seek any direction against the petitioners for payment of arrears of salary and continuance in service but the Tribunal, on erroneous appreciation of facts committed an error in granting the reliefs, and prayed to allow the Writ Petitions setting aside the impugned orders therein.

12. *Per contra*, learned counsel for the 1st respondent herein would contend that the orders under challenge in these Writ Petitions are accordance with law and do not call for interference of this Court since the appointment of the 1st respondent was in terms of G.O.Ms. No.1849, dated 28.10.2005 on permanent basis, though it was mentioned in his appointment order as temporary. Even in the earlier order passed by the Tribunal in O.A. No.1326 of 2010, pertaining to the Village Revenue Assistant of Tenali, when similar question came up for consideration, the Tribunal held therein that the appointment was permanent and is being continued in the service, in pursuant to the order of the Tribunal. Therefore, if for any reason, the 1st respondent herein was removed from service it amounts to unjust exercise of power and prayed to confirm the impugned orders passed by the Tribunal.

13. Considering rival contentions and perusing the material available on record, the sole point that arises for consideration is:

Whether the 1st respondent was appointed on permanent basis? If so, denial of honorarium, for the period if any, worked by him, is legal and his removal from the post of Village Revenue Assistant is in accordance with law? If not, liable to be *set-aside*?

14 **POINT**: Admittedly, the 1st respondent was appointed as VRA and worked for some time, received honorarium as per the Service Rules. The Tribunal held that though the appointment of the 1st respondent was mentioned as temporary, his appoint is purely on permanent basis since no period was mentioned in his appointment order, as required under Rule 6 of the Services Rules framed for appointment of VRA *vide* G.O.Ms. No.1849 dated 28.10.2005. In the absence of specifying the period of appointment, mere mentioning that the appointment is temporary cannot change the nature of his appointment and hence the Tribunal held

that the appointment of the 1st respondent was on permanent basis.

15. Learned Government Pleader would further contend that appointment of the 1st respondent was purely on temporary basis and produced a Circular issued by the Government of Andhra Pradesh, Revenue Department dated 16.06.2006 wherein the Secretary to Government directed to send proposals for appointment of Village Servant posts proposed to be filled as per Service Rules, as required under the provisions of Act 2 of 1994, if necessary, and that no post shall be filled up without prior permission of the Government and this Circular has no relevance at all for deciding the present issue. However, the notification issued by the MRO, Narasaraopet, 3rd petitioner herein, dated 02.07.2006 inviting applications for appointment to the posts of VRA at Narasaraopet and Jonnalagadda villages would show that the 3rd petitioner invited applications for appointment of VRA for the notified villages specifying the eligibility but the notification is silent whether it was issued under Rule 6 or Rule 9 of the Service Rules. In the absence of anything in the notification, it is difficult to accept the contention of learned Government Pleader that the appointment of the 1st respondent is purely on temporary basis. Prior to issuance of notification referred above, the Revenue Authorities placed a note before the MRO for issuance of notification, wherein a reference about the guidelines issued by the Government for appointment of Village Servants under Rule 6(1), 8(3), 9(1) and (2) and sought permission of the MRO for issuance of notification; thereupon, the MRO permitted to issue notification for temporary appointment subject to approval of draft notification by him but, strangely the MRO issued the alleged notification dated 02.07.2006 without specifying whether the appointment is temporary or permanent and approved the notification. However, it is clear from the material produced before this Court that the appointment was against a regular vacancy. In view of the controversy regarding appointment, it is better to advert to the Rules governing appointment of Service Rules (Notified in G.O.Ms. No.1849 Revenue (VO) Department dated 28.10.2005) governing the appointment. Rule 6 of the Service Rules deals with temporary appointment and Rule 9 deals with general and other qualifications for appointment. Rule 6 of the Service Rules is extracted hereunder for better appreciation, which is as follows:

“6. Temporary appointment:

(1) Where it is necessary to fill in a short vacancy or where it is necessary in the public interest to fill emergently a vacancy in such post, the appointing authority may appoint a suitable and qualified person temporarily in such a vacancy.

Provided that while appointing a person in a leave vacancy not exceeding six months, the appointing authority may give preference to a suitable and qualified person who has been nominated by the holder of the post who is granted leave.

(2) Every order of made under sub-rule (1) shall specify the period of such appointment and on the expiry of such period the appointment shall cease.

Provided that the appointing authority may, from time to time, extend the period of such appointment, no exceeding two years in all.

(3) Continuance of the temporary incumbent beyond two years shall be only with the approval of the Commissioner.

(4) The appointing authority shall be competent to terminate the services of any person in the post to which he is appointed under sub-rule (1) before the expiry of the period specified in sub-rule (2) after giving one month's notice.”

16. From a perusal of Rule 6 of Service Rules referred *supra*, the pre-requisite for temporary appointment is that there must be a temporary vacancy and that the order should be for a specific period, which shall not exceed more than six months but, in the present case, the appointment order was not for a specific period, as required under Rule 6 of the Service Rules referred above. On the other hand, the notification clearly indicates that the appointment is on regular basis; therefore, it is not open to the Government to contend that appointment of the 1st respondent is purely on temporary basis.

17. The procedure prescribed for appointment on regular basis is prescribed under Rule 9 of the Service Rules, which is extracted hereunder for better appreciation:

“9. General and other qualifications for appointment:

(1) As soon as may be on a permanent vacancy occurring in any village, the Mandal Revenue Officer shall issue a notice calling for applications for the post from the intending candidates to be filled by him before a specified date. The qualifications of a candidate for appointment shall be determined with reference to the date on which the permanent vacancy has arisen. The notice shall be published in the Village Chavadi or any other public place in the village concerned and by beat of tom tom in the village and by affixture of a copy of it on the notice board of the Mandal Revenue Office.

(2)

18. From a bare reading of Rule 9 of the Service Rules, the MRO has to call for the applications by issuing notification, but for appointing a VRA on temporary basis no such notification is required but in the instant case the notification as required under Rule 9 was issued specifying the qualifications as contained in Rule 9(2) of the Service Rules. Therefore, the notification was issued only in compliance of Rule 9 to appoint a VRA against the permanent vacancy but not for filling up a temporary vacancy.

19. Considering the notification issued by the 3rd petitioner, appointment of the 1st respondent can safely be held to be for regular appointment but not otherwise. Merely because it is mentioned that the appointment is purely temporary, reserving the right to remove the 1st respondent from service, without any notice, would not change the nature of appointment as notification was issued strictly adhering to Rule 9 of the Service Rules. Therefore, appointment of the 1st respondent is on regular basis.

20. Learned Government Pleader would contend that the Village Servants are only part time Government employees and drawn the attention of this Court to Rule 11 of the Rules, wherein it is clarified that the Village Servants of this service shall be treated as part-time Government employees and at the same time, under Rule 65 of the Services Rules, it is clarified that the provisions of the Andhra Pradesh Civil

Services (Conduct) Rules, 1964, the General Rules for the State and Subordinate Services, the Fundamental Rules and the Pension Code Rules shall not apply to the Village Servants.

21. There is no dispute about non-application of those Rules and the status of Village Revenue Assistant as part-time employee of the Government. As seen from Rule 65 of the Service Rules, applicability of Andhra Pradesh Civil Services (Conduct) Rules 1964 alone is excluded. In any view of the matter, when the 1st respondent was appointed as Village Revenue Assistant on regular basis, in view of the notification issued by 3rd petitioner inviting applications specifying the qualifications for appointment of VRA, without specifying the period of appointment would establish that appointment of the 1st respondent is on regular basis and when applicability of A.P. Civil Services (Conduct) Rules, 1964 has not excluded the part-time Government employees *i.e.*, VRA as specified in Rule 11 of Service Rules is governed by A.P. Civil Services (Conduct) Rules, 1964 but in the present case, no such enquiry was conducted and straight-away removed the 1st respondent from service, thereupon he filed O.A. No.10711 of 2009 before the Tribunal seeking a direction to the petitioners herein to pay his salary and allowances as per Rules; thereupon, an *interim* order was passed earlier and later, it was disposed of by the Tribunal on 27.12.2011 with a direction to the petitioners herein to conduct enquiry into the issue and to find out whether his services were discontinued from September, 2006 as contended by the petitioners and then by taking into consideration the report of the Enquiry Officer, further action should be taken in the matter for payment of salary of the 1st respondent. Accordingly, after receiving the enquiry report from the enquiry officer, the 2nd petitioner herein issued proceedings denying salary and continuance of service of the 1st respondent but the material available on record would establish that the services of the 1st respondent were engaged even in Kotappakonda during the festival season and, even subsequent to filing of the O.As his services were engaged by the Department but denied payment of honorarium as per the Service Rules. When there is material on record to show that the services of the 1st respondent were engaged by the Department, the Department is bound to pay his honorarium as per the Rules and as such engagement of his services cannot be discontinued as he was appointed on regular

basis. Therefore, the Tribunal rightly granted the reliefs.

22. Though the learned Government Pleader contended that appointment of the 1st respondent was purely on temporary basis; he can be removed without any notice but failed to bring to the notice of this Court about the nature of appointment. On the other hand, inviting applications by the 3rd petitioner calling for applications from the public for appointment to the posts of VRA directly indicates that the notification was issued only under Rule 9 of the Service Rules. Therefore, the contention of the learned Government Pleader is un-sustainable under law.

23. Yet, the Tribunal relied upon its earlier order in O.A No.1326 of 2010, wherein the Village Servant, Tenali challenged his removal, the Tribunal allowed the O.A. and directed the authorities to continue him in service and as such he is continued in service obviously for different reasons.

24. The Village Servant, Tenali, in O.A. No.1326 of 2010, appointed as per the Rules published in G.O.Ms. No.1849 dated 28.10.2005 under Rule 9(1) of the Service Rules, was terminated by order dated 30.09.2008; he challenged the same by filing O.A. before the Tribunal, the Tribunal after considering the nature of his appointment held that he is entitled to continue in service as he was not appointed on temporary basis and directed the Government to continue him in service. The order was implemented but for the reasons known to the petitioners, the 1st respondent herein was removed from service, which is nothing but discriminating the similarly situated part time Government servant and the same is impermissible and such exercise by the petitioners is illegal, arbitrary and unfair. Therefore, the proceedings issued by the petitioners in Ref. No.2021/2013-A2, dated 28.12.2013 and in Rc.No.273/2012-12/A-2, dated 16.01.2014 cannot be sustained.

25. Both these Writ Petitions are filed under Article 226 of the Constitution of India. As per Article 226 of the Constitution of India, this Court has the power to exercise

jurisdiction to issue any directions against any authorities within the territory by issuing different kinds of writs. Article 226 of the Constitution confers extraordinary jurisdiction on the High Court to issue prerogative writs for enforcement of the fundamental rights or for any other purpose. It is wide and expansive. The Constitution does not place any fetter on exercise of the extraordinary jurisdiction, it is left to the discretion of the High Courts. The High Court under Article 226 is required to enforce rule of law and not pass an order or direction which is contrary to what has been injected by law.

26. The power under Article 226 is purely discretionary and no limits can be placed upon the discretion, it must be exercised along recognized lines and not arbitrarily and subject to certain self-imposed limitations. Which are as follows:

(1) In the exercise of this discretionary jurisdiction, the High Courts should not act as courts of appeal or revision to correct mere errors of law or of fact, because this jurisdiction is merely supervisory.

(2) Resort to the jurisdiction under Article 226 is not intended as an alternative remedy for relief which may be obtained by suit, or other mode prescribed by statute. Where it is open to the aggrieved person to move another tribunal, or even itself in another jurisdiction for obtaining redress in the manner provided in a statute, the High Court will not, by entertaining a petition under Article 226, permit the machinery created by the statute to be by-passed. In a case involving retrenchment, instead of resorting to statutory remedy writ petition was filed on the ground that a particular provision was not complied with and the High Court dismissed the petition on the ground that the said provision was not attracted in the case. In appeal it was contended that High Court erred in recording its finding regarding the provision as a result of which he would be prejudiced before the tribunal where the statutory remedy was available, it was held that as the contention was raised regarding the compliance of that provision, the High Court was justified in examining its application.

(3) The High Court does not generally enter upon a determination of

questions which demand an elaborate examination of evidence to establish the right to enforce which the writ is claimed. The matters of large canvas could not be determined under this Article. In such cases a civil suit is a remedy. The High Court cannot reappreciate the evidence to hold otherwise than has been held by the Government regarding the sufficiency of a certificate to claim pension under freedom Fighters' Pension Scheme. In an objective type of examination, the inference of the High Court that the questions concerned were of confusing and controversial nature without appointing an expert body and obtaining its opinion, was held to be unjustified.

(4) The Court would not interfere (on the merits) with determinations made by an authority invested with statutory power, particularly, when they relate to matters calling for expertise, unless there are exceptional circumstances calling for judicial intervention.

(5) The High Court while examining the correctness or otherwise of an order passed by a tribunal or any action taken by an officer under an Act, is also to be guided by the provisions of the statute.

(6) The power of High Court and Articles 226 and 227 cannot be invoked to direct the statutory authorities to act contrary to law.

(7) The High Court must balance the competing interests.

(8) The High Court cannot sit as a court of appeal and substitute its own decision. The court confines itself to the question of legality and is concerned only with (i) whether the decision-making authority exceeded its powers; (ii) committed an error of law; (iii) committed a breach of the rules of natural justice; (iv) reached an unreasonable decision; or (v) abused its powers.

27. In a proceeding under Articles 226 and 227 of the Constitution, the High Court cannot sit in appeal over the findings recorded by a competent tribunal. The jurisdiction of the High Court, therefore, is supervisory and not appellate. Consequently, Article 226 is not intended to enable the High Court to convert itself

into a court of appeal and examine for itself the correctness of the decision impugned and decide what is the proper view to be taken or order to be made. But notwithstanding the same, on a mere perusal of the order of an inferior tribunal, if the High Court comes to a conclusion that the tribunal has committed manifest error by misconstruing certain documents; or that on the material it is not possible for a reasonable man to come to a conclusion arrived at by the inferior tribunal; or that the inferior tribunal has ignored to take into consideration certain relevant material or has taken into consideration certain relevant material or has taken into consideration certain inadmissible material, then the High Court will be fully justified in interfering with the findings of the inferior tribunal as held by the Apex Court in ***Shama Prashant Raje Vs. Ganpatrao***.

28. Keeping in mind the principles laid down by the Apex Court in ***Ganpatrao***¹, when the Tribunal did considered any inadmissible material or failed to consider any relevant material on record, this Court can interfere with the findings of the Tribunal and this Court cannot examine the order under challenge as if it is an appellate authority over the Tribunal. If this Court comes to a conclusion that the Tribunal committed a manifest illegality in the order passed by the Tribunal, this Court can *set-aside* the order of the Tribunal, exercising discretionary power conferred on this Court under Article 226 of the Constitution of India.

29. Learned Government pleader for Services, failed to bring to the notice of this Court any such manifest error of either considering inadmissible material or failed to consider relevant material by the Tribunal. Hence, the orders under challenge in these Writ Petitions do not call for interference of this Court under Article 226 of the Constitution of India. In the absence of any such manifest error apparent on the face of the record, we refrain ourselves from interfering with the impugned orders of the Tribunal. On the other hand, discriminating the similarly situated persons is nothing but an arbitrary exercise of power by the petitioners and thereby the Tribunal rightly set-aside the orders impugned before the Tribunal.

30. In view of the foregoing discussion, the Tribunal did not commit any manifest error warranting interference of this Court to exercise power under Article 226 of the

Constitution of India. Hence, both the Writ Petitions deserves to be dismissed.

In the result, both the Writ Petitions are dismissed confirming the common order dated 25.08.2014 passed in O.A. Nos.590 of 2014 and O.A. No.9279 of 2013 by the A.P. Administrative Tribunal.

In consequence, the miscellaneous petitions, if any, pending in these writ petitions, shall stand dismissed. No order as to costs.

RAMESH RANGANATHAN, J

M. SATYANARAYANA MURTHY, J

Date: 08-04-2015.

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HON'BLE SRI JUSTICE RAMESH RANGANATHAN

AND

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

WRIT PETITION Nos.6805 & 6935 OF 2015

(Common order of the Division Bench delivered by

Hon'ble Sri Justice M. Satyanarayana Murthy)

Date. 08-04-2015

DSH