

HON'BLE SRI JUSTICE SANJAY KUMAR

Writ Petition No.20121 of 2012

Date: 01.06.2015

Between:

B. Nagi Reddy,

Kurnool.

...Petitioner

And

The Government of Andhra Pradesh,

Law (LA&J Home Courts.A1) Department,

Hyderabad and others.

... Respondents

HON'BLE SRI JUSTICE SANJAY KUMAR

Writ Petition No.20121 of 2012

-

ORDER:

This writ petition was filed by a practicing Advocate at Kurnool challenging G.O.Rt. No. 1063, Law (LA&J)-Home-Courts.A1) Department, dated 29.6.2012, whereby, the 5th respondent was appointed as a Special

Public Prosecutor for the Court of the Special Judge for SC & ST (POA) Act, 1989, Kurnool, for a period of three years from the date of taking charge or till termination of his services, whichever was earlier.

The appointment of the 5th respondent was effected under Section 24(8) Cr.P.C. read with G.O. Ms. No.187, Law (L) Department, dated 6.12.2000.

Admittedly, the 5th respondent assumed charge as a Special Public Prosecutor, pursuant to the impugned G.O., on 5.7.2012. His appointment is therefore at an end as the period of three years would expire on 4.7.2015. The challenge to the appointment of the 5th respondent is on the ground that he was not worthy of such a post. However, as this Court did not interdict the functioning of the 5th respondent as a Special Public Prosecutor pursuant to the impugned G.O. pending the writ petition, going into the validity of his appointment on the ground of his entitlement at this late stage, when he is on the verge of demitting office, would not serve any useful purpose.

The writ petition is accordingly closed leaving it open to the petitioner to raise the grounds urged herein in the event the 5th respondent is considered for a similar appointment hereafter.

Pending miscellaneous petitions shall also stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR,J

Date: 1st June, 2015

-

pnb

