

HONOURABLE SRI JUSTICE G. CHANDRAIAH
AND
HONOURABLE SRI JUSTICE C.KODANDA RAM

WRIT APPEAL No. 455 of 2015

Dated 6th October, 2015

Between

Seth Ghasiram Gopikrisyhan Badruka Educational Society,
Rep. by its Honorary Secretary, and anr.

....Appellants

And

Prof. Dr.K.Suvarchala and ors

...Respondents.

HONOURABLE SRI JUSTICE G. CHANDRAIAH
AND
HONOURABLE SRI JUSTICE C.KODANDA RAM

WRIT APPEAL No. 455 of 2015

ORDER: (per Hon'ble Sri Justice G.Chandraiah)

Heard learned Counsel on either side.

It is submitted by the learned Counsel for the appellants and agreed to by the learned Counsel for the respondents that the facts and circumstances of the present Writ Appeal warrant disposal of the same in terms of the decision of this Court dated 05.10.2015 rendered in Writ Appeal No. 453 of 2015 since the issue raised in both the matters is similar and identical. This Court while disposing of the Writ Appeal No. 453 of 2015 held as follows.

“ There is no material on record to show that

the appellants have taken any prior approval of the competent authority before issuing the communication of discontinuance dated 30.3.2015. In these circumstances, we of the view that the interim order of the learned single Judge suspending the impugned communication dated 30.3.2015 and directing the appellants to continue the petitioner and to pay salary and other allowances attached to the post, warrants no interference.

Having regard to the facts and circumstances of the case, liberty is given to the appellants to approach the competent authority under Section 83 of the Act seeking approval of the impugned action sought to be taken, within a period of two weeks from the date of receipt of a copy of this order and within one month thereafter, the competent authority, after due notice and opportunity of being heard to the 1st respondent, shall pass appropriate orders in accordance with law. Till then the interim order of the learned single Judge dated 22.4.2015 in WPMP. No.14311 of 2015 in W.P.No.10828 of 2015, shall continue.”

Following the aforesaid decision of this Court and for the reasons stated therein, the present Writ Appeal is disposed of in terms thereof.

Miscellaneous petitions pending consideration if any in the Writ Appeal shall stand closed in consequence. No order as to costs.

JUSTICE G.CHANDRAIAH

JUSTICE C.KODANDA RAM

DATED 6TH OCTOBER, 2015.
Msnr_x