

HON'BLE SRI JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT APPEAL No. 268 OF 2015

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P.C: (per the Hon'ble Sri Justice Dilip B. Bhosale)

This writ appeal is directed against the order dated 02-03-2015 passed in Writ Petition No.4882 of 2015. By this order the writ petition filed by the appellant has been dismissed. In the writ petition, the appellant had challenged the appointment of respondent No.6 as Cluster Resource Person (CRP) at Akividu in West Godavari District on the ground that he had not applied for the said post, but had applied for the post reserved for I. Bhimavaram.

We have perused the order passed by the learned single Judge, and in our opinion, the order, based on the factual matrix, cannot be faulted. It is apparent that the appellant raised several disputed questions of fact.

That apart, respondent No.6 was interviewed on 29-09-2012 and was appointed immediately thereafter. It is not in dispute that he has been working on the said post since September-October, 2012. If the appellant had objection for allowing respondent No.6 to appear for the interview, either he should have raised such objection at the stage of interview or at least he should have filed writ petition challenging his selection and appointment on the ground that he was not eligible for the said post in 2012 itself. He waited for filing this writ petition till February, 2015 on the ground that he made some representation to the concerned authority. It appears that the concerned authority had appointed a Fact Finding Committee. We have perused the report of the Fact Finding Authority which has clearly recorded that respondent No.6 was eligible to be considered for the said post. More over, it is pertinent to note that nine candidates had appeared for the interview along with the

appellant and respondent No.6, and in the list of nine candidates, on merits, the appellant was standing at serial No.9, whereas respondent No.6 was at serial No.1 and, therefore, he was selected. In any case, the appellant was not entitled for the post on which respondent No.6 was appointed in view of the total marks secured by him in the process of selection.

Hence, the appeal is dismissed. Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, J

A. RAMALINGESWARA RAO, J

08-04-2015

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