

THE HON'BLE SRI JUSTICE K.C. BHANU

AND

THE HON'BLE MRS JUSTICE ANIS

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WRIT PETITION No.11283 OF 2015

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ORDER: (per Hon'ble Sri Justice K.C.Bhanu)

This Writ Petition, under Article 226 of the Constitution of India, is filed to call for the records relating to the order, dated 07.04.2014, in Original Application No.5745 of 2013 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad (for short, 'the Tribunal) and quash the same.

2. Respondent No.1 herein/applicant filed the aforesaid Original Application to declare the proceedings in R.C.No.641/A1/2010, dated 01.04.2013, issued by petitioner No.1, as arbitrary and illegal and consequently, direct the petitioners herein to consider the period from 23.02.2008 to 31.07.2008 as on duty and to grant all benefits forthwith by setting aside the proceedings, dated 01.04.2013.

3. The Tribunal, upon considering the material on record, disposed of the Original Application vide impugned order, dated 07.04.2014. Operative portion of the impugned order reads as under:

“In view of the re-posting the applicant to Anantapur through Proceedings dated 1-8-2008 in view of the orders of the Honourable High Court, the applicant is entitled to get her services regularized and entitled for payment for the said period from 23.02.2008 to 31.07.2008 and having regard to the facts and circumstances of the case, the impugned order is liable to be set aside and it is hereby set aside. The respondents are directed to pass appropriate orders with regard to the same within a period of 6 weeks from the date of receipt of a copy of this order.”

Challenging the same, the present Writ Petition is filed by the

Government.

4. In the impugned order, no positive direction was given to the petitioners. The direction is to pass appropriate orders with regard to regularization and payment during the period from 23.02.2008 to 31.07.2008 as on duty within a period of six (6) weeks from the date of receipt of a copy of that order. Therefore, the petitioners have to take appropriate decision in accordance with law. Since time granted by the Tribunal for taking appropriate decision in the matter has elapsed, another six (6) weeks' time is granted to the petitioners from the date of receipt of a copy of this order to pass appropriate orders in the matter.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE K.C. BHANU

JUSTICE ANIS

JUNE 25, 2015

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THE HON'BLE SRI JUSTICE K.C.BHANU
AND
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WRIT PETITION No.11283 OF 2015

DATE: 25.06.2015

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