

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.21786 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Medical and Health.

The petitioner complains that the respondents are intending to remove him from the post of Legal Consultant without giving any notice and without following the due procedure under law. The petitioner states that he was a practising advocate in District Court, Guntur and in response to the Notification issued by the 4th respondent on 01-07-2012 in Vaartha Daily News Paper for the post of Legal Consultant, he applied for the said post and the learned District and Sessions Judge, Guntur, conducted the selection process and the petitioner was selected and joined in the said post on 11-03-2013 and he is continuing in the said post. The petitioner states that he was initially appointed for one year and thereafter, the 4th respondent renewed his appointment.

The primary allegation made in the writ petition is that the 4th respondent has put up a note before the 3rd respondent for appointment of a candidate as desired by Hon'ble Minister for Agriculture and the petitioner has approached this Court complaining that at the instance of somebody else, he is being removed and replaced by some other candidate, in terms of the note put up by the 4th respondent to the 3rd respondent. Therefore, the petitioner states that the proposed action of respondents 3 and 4 in removing him from the post of Legal Consultant without following due procedure is illegal and arbitrary.

On 15-07-2015, when the writ petition was heard, the petitioner's specific allegation is with regard to the note, dated 30-06-2015, submitted to the 3rd respondent by the 4th respondent.

In view of the said allegation, the learned Government Pleader was required to get instructions and file counter and it was further directed that if the petitioner is working as on that date, he shall not be removed for a period

of four weeks.

When the matter is taken up today, learned counsel for the petitioner produced a copy of the note submitted by the 4th respondent to the 3rd respondent on 30-06-2015, which specially states that on the desire of Hon'ble Minister for Agriculture, one Sri Sreeram Rajeev Anand is proposed to be appointed in the place of the petitioner as Legal Consultant.

Though no counter is filed, learned Government Pleader submits that the respondents will follow the procedure under law and will make appointment in consultation with the learned District Judge and that since the petitioner's term is already over, even beyond the extended period, the respondents may be given liberty to take appropriate steps in accordance with law.

In view of the aforesaid specific stand on behalf of the respondents that they will follow due process of law in the event of appointing legal consultant, the same is recorded and the writ petition is disposed of directing the respondents to act, as recorded above, and take further steps in accordance with law. No costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 12-08-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.21786 of 2015

-
12-08-2015

Prv

