

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

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WRIT PETITION No. 36357 OF 2015

Date: 12.11.2015

Between:

Paidi Govinda Rao.

... Petitioner

And

The State of A.P., rep., by its Chief Secretary,
Hyderabad & others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No. 36357 OF 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

The petitioner in the instant writ petition has made the following prayer:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring that the petitioner is entitled to continue in service in terms of provisions of A.P. State Re-organization Act, 2014, dated 2-6-2014, vide the Sections 77 to 82 and relating to him, treating as a cadre of Telangana State is in violation of the said Act and Proceedings No.005536/Admn.I.1/2014-2, dated 30-6-2014, issued by the 7th respondent as illegal, arbitrary, unreasonable and unconstitutional and it amounts to violation of Article 14, 16 and 21 of the Constitution of India and set aside the same and direct the 1st and 3rd respondents to allow the petitioner to continue in service as per the age of superannuation taking into account of his domicile, place of birth, educational status, employment status, under the erstwhile zonal system and direct to pay the salary from 01-07-2014 and to pass such other order or orders as the Hon'ble Court may deem fit and proper.”

We are informed that the petitioner has already filed O.A.No.5839 of 2015 before the A.P. Administrative Tribunal at Hyderabad for similar relief sometime in September, 2015. This fact is not in dispute. That being so, we are satisfied that the following order will meet the ends of justice:

“It is open to the petitioner to approach the Tribunal for expeditious hearing of O.A.No.5839 of 2015 on merits in accordance with law and if for any reason it is not possible for the Tribunal to decide O.A. expeditiously, it is open to the petitioner to apply for interim relief as prayed for in the original application and if any such application is made, we hope and trust that the Tribunal shall consider the same as expeditiously as possible and preferably within a period of six weeks from the date of such application. All contentions on merits are kept open.”

With these observations, writ petition is disposed of.

Miscellaneous petitions, if any, shall also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Date: 12.11.2015

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