

**HON'BLE SRI JUSTICE G.CHANDRAIAH**  
&  
**HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**

**W.P. No. 37385 of 2015**

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**DATE: 19.11.2015**

Between:

The Commissioner of Prohibition and Excise

and another

.. Petitioners

and

K. Prabhu Vinay Kumar

and another

.. Respondents

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

The petitioners assert that the 1<sup>st</sup> respondent herein was initially appointed as Prohibition & Excise Inspector on 29.05.1997 and subsequently promoted as Assistant Prohibition and Excise Superintendent on 17.09.2013 and posted as such at Godavarikhani. While so, based on a complaint received by the Government against the

1<sup>st</sup> respondent with the allegation of misappropriation of election funds and non-attendance to his duties at Godavarikhani, the 1<sup>st</sup> petitioner – Commissioner of Prohibition and Excise, by order dated 01.07.2015, transferred the

1<sup>st</sup> respondent and posted him as Assistant Prohibition and Excise Superintendent at Nagarkurnool of Mahabubnagar District on administrative grounds.

Challenging the order of the 1<sup>st</sup> petitioner, the applicant filed O.A.No. 3999 of 2015 before the Andhra Pradesh Administrative Tribunal, Hyderabad (for brevity "the Tribunal"). Now, the grievance of the petitioners – Government is that the Tribunal, by order dated 27.07.2015, set aside the transfer order directing the petitioners to continue the 1<sup>st</sup> respondent – applicant to

work in Godavarikhani. Hence, the present writ petition is filed seeking to quash the order of the Tribunal and for appropriate directions.

When the matter is taken up for hearing, the learned counsel for the 1<sup>st</sup> respondent-employee has produced a copy of the proceedings dated 18.11.2015 issued by the 1<sup>st</sup> petitioner and submitted that the 1<sup>st</sup> respondent is posted as Brewery Officer, at M/s.Sab Miller, Shivampet, Medak District. The learned Government Pleader for Services has not opposed the proceedings of the 1<sup>st</sup> petitioner and has submitted that the writ petition may be closed by recording the modified proceedings.

Having regard to the submission made by the learned Government Pleader, the modified proceedings dated 18.11.2015 issued by the 1<sup>st</sup> petitioner are placed on record and in view of the same and the writ petition is closed. No order as to costs.

As a sequel to the closure of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

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**G. CHANDRAIAH, J**

19.11.2015

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**U.DURGA PRASAD**

**RAO, J**

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