

THE HON'BLE SRI JUSTICE K.C. BHANU
AND
THE HON'BLE MRS JUSTICE ANIS
-
WRIT PETITION No.13722 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 record relating to the order, dated 18.12.2014, in Original Application No.5787 of 2014 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad (for short, 'the Tribunal') and quash the same and consequently, to declare that the petitioner is entitled to compassionate appointment on account of death of her father.

2. Heard both sides.

3. Petitioner herein/applicant filed the aforesaid Original Application to declare the proceedings in Rc.No.B4/054/2006, dated 19.05.2014, issued by respondent No.4, in rejecting her claim for compassionate appointment, as arbitrary and illegal and consequently, to declare that she is entitled to appointment on compassionate grounds on account of death of her father basing on the Succession Certificate issued by I Additional District Judge, Ongole, on 08.11.2011 in S.A.O.P.No.21 of 2009.

4. The Tribunal, upon considering the material on record, dismissed the Original Application on the ground that there were rival claims.

5. Admittedly, two sons of late Guravaiah were not impleaded as parties in the Original Application. Therefore, on this ground alone, the impugned order is liable to be set aside.

6. Accordingly, the Writ Petition is allowed setting aside the order, dated 18.12.2014, in Original Application No.5787 of 2014 passed by the Tribunal and the matter is remanded to the Tribunal giving liberty to the petitioner to implead the two sons of late Guravaiah as party respondents as per the Succession Certificate issued by the competent Court and thereafter, the Tribunal is requested to dispose of the Original Application after giving due opportunity to both the parties. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE K.C. BHANU

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JUSTICE ANIS

JUNE 26, 2015

Furnish C.C. in two (2) days.

(B/o)

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THE HON'BLE SRI JUSTICE K.C.BHANU

AND

THE HON'BLE MRS JUSTICE ANIS

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WRIT PETITION No.13722 OF 2015

DATE: 26.06.2015

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