

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
And
THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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WRIT PETITION Nos.22506 & 22531 of 2010

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COMMON ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

O.A.No.2292 of 2010 and O.A.No.2181 of 2010 were disposed of by the Tribunal, by its orders dated 05.05.2010 and 16.04.2010 respectively, specifically recording the submission of both the counsel for the applicant and the learned Government Pleader that the issue involved in the O.As. was covered by the order passed by the Tribunal in O.A.No.4361 of 2005 dated 19.08.2009.

While the learned Government Pleader for Services would make a feeble attempt to contend before us that the learned Government Pleader before the Tribunal ought not to have given his consent, the affidavits filed in support of both the Writ Petitions are silent regarding action, if any, taken by the Government against the learned Government Pleader before the Tribunal for his having given his consent without instructions from the Government. In the absence of any such averment in the affidavits filed in support of both the Writ Petitions, we see no reason to examine whether or not the learned Government Pleader before the Tribunal had given his consent, to the orders passed by the Tribunal, without instructions from the Government.

As the order, under challenge in both these Writ Petitions, are consent orders, we see no reason to exercise discretion under Article 226 of the Constitution of India to interfere. The Writ Petitions fail and are, accordingly, dismissed. Miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

M.SATYANARAYANA MURTHY, J

26th March, 2015.
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