

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

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WRIT PETITION No.2495 OF 2014

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

The petitioner herein was sent on deputation as Assistant Director of Agriculture (Soil Conservation), River Valley Project, Araku Valley, Visakhapatnam. The deputation period was extended for a period of one year from 23.09.2013 to 22.09.2014 in terms of G.O.Rt.No.1192 dated 28.09.2013. The Principal Chief Conservator of Forests, vide G.O.Rt.No.1454 dated 11.12.2013, cancelled the order issued earlier in G.O.Rt.No.1192 dated 28.09.2013. The petitioner invoked the jurisdiction of the Tribunal by way of O.A.No.8760 of 2013, seeking to declare the action of the respondents, in issuing G.O.Rt.No.1454 dated 11.12.2013, as arbitrary and illegal. By order dated 27.01.2014, the O.A. was dismissed. Aggrieved thereby, the present Writ Petition. By order, in WPMP No.3048 of 2014 in W.P.No.2495 of 2014 dated 31.01.2014, this Court granted interim suspension of G.O.Rt.No.1454 dated 11.12.2013.

While Sri V.Maheshwar Reddy, Learned Counsel for the petitioner, would contend that, after the interim order was passed by this Court, the respondents had extended the period of deputation of the petitioner for a further period of one year from 22.09.2014 to 22.09.2015, Sri N.Pramod, Learned Counsel for the 6th respondent, would submit that it is the 6th respondent who has been transferred and posted as Assistant Director of Agriculture (Soil Conversation), RVP, Araku Valley, in the place of the petitioner, whose deputation was cancelled; and the 6th respondent has questioned, among others, the order of extension of deputation of the petitioner for one more year from 22.09.2014 to 22.09.2015, by way of O.A.No.6914 of 2014.

It is wholly unnecessary for us to examine whether or not the

petitioner is entitled for being extended the period of deputation from 22.09.2014 to 22.09.2015, or whether the 6th respondent is entitled to join the said post, as these are matters of examination in O.A.No.6920 of 2014 which is said to be still pending before the Tribunal.

As the period stipulated in G.O.Rt.No.1192 dated 28.09.2013 expired by 22.09.2014, the fact that the said period of deputation was cancelled by G.O.Rt.No.1454 dated 11.12.2013 is, at this stage, of no consequence. As the period of deputation has itself expired, the cause does not survive and the Writ Petition has become infructuous. It is made clear that this Court has not expressed any opinion on the petitioner's entitlement for extension for a further period of one year from 22.09.2014 to 22.09.2015 or the claim of the 6th respondent that he is entitled to be relieved from his present place of posting, and to be posted as Assistant Director of Agriculture (Soil Conservation), RVP, Araku Valley. The Tribunal shall examine the rival contentions on its own merits uninfluenced by observations, if any, made in this Order.

The Writ Petition is dismissed. The miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

M. SATYANARAYANA MURTHY, J

Date:04.03.2015.

Note:
Issue C.C. within a week.
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