

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

AND

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

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W.P.NO.38404 OF 2015

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O R D E R (Per the Hon'ble Sri Justice G.Chandraiah)

Heard the counsel for the petitioner and the Standing Counsel for Telangana Vidya Vidhana Parishad.

2 . By proceedings dated 28.8.2009 of the 2nd respondent – Commissioner, the petitioner was promoted on ad hoc basis from the post of Staff Nurse to Head Nurse. On the ground that her seniority was taken into consideration from her initial appointment as ANM / MPHA (F) by oversight, instead of from the date of her joining as Staff Nurse on 6.10.2002, the 2nd respondent issued show cause notice dated 16.9.2012, why she shall not be reverted as Staff Nurse and to reconsider her promotion to the post of Head Nurse as per revised seniority in the cadre of Staff Nurse and to regularize the irregular promotion given to her. Challenging the show cause notice, the petitioner filed O.A.No.8070/2012 and the Tribunal by interim order dated 10.10.2012, initially suspended the show cause notice and eventually by order dated 14.8.2015 dismissed the O.A. Aggrieved by the same, the present writ petition.

3 . It is to be seen that as observed by the Tribunal, the petitioner ought to have filed objections to the show cause notice and instead, she filed O.A. Having regard to the facts and circumstances, without going into the merits of the case, the writ petition is disposed of at the stage of admission, giving liberty to the petitioner to file her objections

to the show cause notice dated 16.9.2012 within a period of two weeks from the date of receipt of a copy of this order and the 2nd respondent shall consider the same and after giving opportunity of being heard, pass appropriate orders in accordance with law, within a period of four weeks thereafter. No order as to costs. Miscellaneous petitions pending if any, shall stand closed.

G.CHANDRAIAH,J

U.DURGA PRASAD RAO,J

DATE:30—11—2015

AVS