

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No. 11259 OF 2015

ORDER:

The petitioner herein, who has functioned as a Field Assistant under the Mahatma Gandhi National Rural Employment Guarantee Scheme at Ranga Seela Village of Hukumpeta Mandal, Visakhapatnam District, challenges the notification issued on 01.04.2015 proposing to fill up the said vacancy with qualified and suitable person, who is a normal resident of that village.

The objection of the petitioner is that against the orders of termination of his service, as he has preferred an Appeal to the Collector and the said Appeal is still pending and he was advised that he has a good case on merits in the Appeal, and in the event the Appeal is allowed by the Collector and if, in the meantime, the vacancy is filled up with another resident of the same village, the Collector will find it difficult to reinstate him at that stage. Therefore, he challenges the notification dated 01.04.2015.

It goes without saying that in case the Appeal is allowed, the District Collector will appropriately take measures for reinstating the petitioner. The grievance addressed by the petitioner can be mitigated very easily by directing Respondents 2 and 3 to inform the selected candidate, pursuant to the notification dated 01.04.2015, that his/her selection will abide by the result in the Appeal pending with the Collector. However, the Collector is advised to deal with the Appeal said to have been preferred by the petitioner on 18.08.2014 as expeditiously as is possible, preferably within a period of two months from the date of receipt of a copy of this order.

With this, the Writ Petition stands disposed of after hearing Sri M.S.R. Chandra Murthy, learned Standing Counsel for Respondents 2 and 3. No costs.

Consequently, the miscellaneous applications, if any shall also stand disposed of.

NOOTY RAMAMOHANA RAO, J

