

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.26515 of 2016

ORDER:

Heard the learned counsel for the petitioner and Sri A.K.Jayaprakash Rao, learned counsel for respondents.

2. Petitioner who is a graduate applied for appointment of the post of Lower Division Steno pursuant to an advertisement No.27/2009-10 issued by 1st respondent. She was one of the persons who was included in the merit list. The E-Admit card issued to the petitioner according to the petitioner got stolen on 24-10-2010 and she had also given a complaint to the Inspector of Police, Kurnool II Town Police Station. On the ground that the petitioner did not produce the E-Admit card, even though she attended the interview, her case was not considered. Subsequently, on 18-03-2011 one G.Lakshmi Sirisha was appointed to the said post under O.C. Women Category since she produced copy of the E-Admit Card. Petitioner claims that she approached the respondents officials in person and also addressed the representation on 07-03-2011 to verify other documents available with regard to her identity and give her appointment to the said post and the petitioner alleges that certain assurances were given by some employees of 1st respondent though orally and since no action was taken thereon, she filed the present Writ Petition.

3. No evidence in proof of the so-called assurance has been given by employees of 1st respondent to the petitioner has been placed on record by the petitioner. There is also no valid explanation by the petitioner for the delay in approaching this Court six years after the issuance of the Notification and more than five years after the post was filled up by another

candidate viz., Lakshmi Sirisha. Though the petitioner claims that she was running from pillar to post and met different authorities in the 1st respondent-organization, that is no excuse for not approaching this Court for appropriate relief in 2011. The contention of the learned counsel for the petitioner that the petitioner was not aware of the appointment of any person to the said post cannot be believed because the very purpose of issuing advertisement was to appoint eligible persons for the post in question.

4. In the absence of any valid explanation by the petitioner for the inordinate delay of six years in approaching this Court and since third party interests have already been intervened and it could be unjust to unsettle the appointment of third party, at this distance of time, I do not incline to entertain the Writ Petition on the ground of laches.

5. Accordingly, the Writ Petition is dismissed. No costs.

6. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 01-11-2016

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