

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.31085 of 2016

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

The applicant in O.A.No.3319 of 2016 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad, is before this Court aggrieved by the order dated 09.09.2016 passed therein by the Tribunal.

Earlier, by order dated 24.08.2016, the Tribunal, having heard the arguments of the learned counsel for the petitioner/applicant, granted an interim order till 30.08.2016 directing the respondents not to make promotion to the vacancy at Sl.No.1 meant for Private Secretary. On 06.09.2016, the Tribunal heard arguments and reserved orders, while extending the interim order till 09.09.2016. On 09.09.2016, the Tribunal passed the following order:

“Issue notice before admission to the respondents
returnable by four weeks.

The respondents are directed to file counter.”

Having granted an interim order on 24.08.2016 and extended it till 09.09.2016 under order dated 06.09.2016, whereby orders were reserved, it was necessary that the Tribunal pass a reasoned order if it found no grounds to extend the interim order granted by it earlier. That was the purpose of reserving orders on 06.09.2016. The cryptic order dated 09.09.2016 falls woefully short of the requirement of passing a reasoned order in a situation of this nature. Be it noted, the necessity to give reasons has been read into the principles of natural justice and the Tribunal constituted under the Administrative Tribunals Act, 1985, is not exempt from this requirement.

The order dated 09.09.2016 passed by the Tribunal in O.A.No.3319 of 2016 is accordingly set aside and the matter is remitted to the Tribunal for consideration afresh and for passing a reasoned order, either extending or refusing to extend the interim order granted earlier. Till such exercise is completed, the interim order dated 24.08.2016 shall continue to operate.

The writ petition is allowed to the extent indicated above. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

M. SEETHARAMA MURTI, J

15th September, 2016
PGS/IBL

