

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.24361 of 2016

ORDER:

1. The petitioner was appointed as Pharmacist in September, 1980 in the service of the 2nd respondent Corporation. He was placed under suspension on some allegations and ultimately an order of removal was passed on 25.04.1987. The appeal and the review application filed against the said order were dismissed. Thereafter, the petitioner filed I.D.No.282 of 1988 and the same was also ended in dismissal. However, by virtue of the order of this Court in W.P.No.4228 of 1997 dated 22.04.1997, the petitioner was reinstated into service without continuity of service and without back wages. He submitted representations on 28.12.2013 and 19.12.2014 seeking to reckon his past service for the purpose of increments and other attendant benefits. When the said representations were rejected by the 3rd respondent, the present writ petition was filed.

2. Learned Counsel for the petitioner submits that in the case of one S.E.Reddy, on the direction of the Government, his past service was taken into consideration and the 3rd respondent instead of forwarding the representation of the petitioner to the Government, rejected it on his own.

3. It appears that in the case of the said S.E.Reddy, there was no order of Court and in those circumstances, the Government might have considered his case independently. But, in the instant case, the petitioner approached this Court and this Court disposed of W.P.No.4228 of 1997 on 22.04.1997. As a result of which, the petitioner was reinstated into service as a fresh candidate. The said order has become final and it cannot be modified by the Government also. In the circumstances, there is no illegality in the impugned order passed by the 3rd respondent on 03.01.2015.

4. The Writ Petition is accordingly dismissed. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

19-08-2016

Gsn