

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO**

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WRIT APPEAL NO.64 OF 2016

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J U D G M E N T

(per Hon'ble Sri Justice Sanjay Kumar)

This appeal arises out of the order dated 05.12.2014 passed in W.P.No.3460 of 2009. By the said order, the learned Judge directed the respondents in the writ petition to consider the case of the petitioner for appointment as an Anganawadi worker prospectively considering her present qualification.

Perusal of the order under appeal reflects that the grievance of the writ petitioner was that she was not allowed to join duties despite being appointed as an Anganwadi worker under proceedings dated 13.12.2007. However, the stand of the respondent authorities was that the writ petitioner did not have the required qualification of 10th class pass and that the appointment order was issued to her by mistake as the selected candidates also had a similar name.

However, taking note of the fact that the writ petitioner had subsequently acquired the qualification of 10th class pass, the learned Judge was of the opinion that her case could be considered at least for prospective appointment and accordingly directed the respondent authorities to consider her case.

The learned Government Pleader appearing for the appellants brought it to our notice that by proceedings dated 12.08.2015, the Child Development Project Officer, ICDS Project, Sadasivapet, Medak District, considered the case of the petitioner pursuant to the order under appeal and rejected the same. She also cancelled the proceedings dated 13.12.2007 whereby the petitioner was initially appointed.

Admittedly, no challenge has been laid against the subsequent proceedings dated 12.08.2015 till date.

As the direction in the order under appeal was to the respondent authorities only to consider the case of the petitioner for appointment as an Anganawadi worker prospectively and upon such consideration, the proceedings dated 12.08.2015 came to be issued by the Child Development Project Officer, ICDS Project, Sadasivapet, Medak District, the order under

appeal has worked itself out.

The appeal therefore does not survive for consideration on merits. It would however be necessary to point out that the proceedings dated 12.08.2015 which came to be issued consequent to the order under appeal would give rise to a fresh cause of action, if the writ petitioner/respondent is aggrieved thereby. In so far as the issue raised in the writ petition is concerned, the same has attained a quietus and no further adjudication is called for.

The writ appeal is accordingly closed. Pending miscellaneous petitions shall also stand closed. No order as to costs.

SANJAY KUMAR, J

DR. B.SIVA SANKARA RAO, J

1ST JUNE, 2016

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