

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.37763 OF 2015

ORDER:

The grievance of the petitioner is that the authorities are not taking back the papers and files relating to the cases in which he appeared as an Assistant Government Pleader in the courts at Jangaon in Warangal District.

The District Collector, Warangal, furnished written instructions dated 19.12.2015 to the office of the learned Government Pleader for Home, wherein he stated that instructions had been given to the third respondent, the present Assistant Government Pleader appointed at Jangaon, Warangal District, to receive the case files, both pending and disposed of, from the petitioner.

Sri K. Raghuveer Reddy, learned counsel for the third respondent, would however contend that his client has no concern with the disposed of cases and that he would not be in a position to accommodate such vast record in his premises.

The petitioner's additional grievance is that he has not been paid the arrears of his remuneration for having appeared for the State in the capacity of the Assistant Government Pleader. His representation in this regard made on 25.07.2015 is still awaiting consideration.

Insofar as this aspect is concerned, the instructions given by the District Collector, Warangal, state to the effect that a letter had been addressed to the Secretary to the Government, Legal Affairs, Legislative Affairs & Justice, Telangana Secretariat, Hyderabad, on 31.07.2015 to release the budget beyond 01.06.2014 and necessary action will be taken for payment of the petitioner's fee arrears thereafter.

In the light of the afore-stated facts, this Court is of the opinion that the counsel cannot be mulcted with the responsibility of providing storage space for disposed of cases relating to the State. Once the

petitioner demitted office as an Assistant Government Pleader, it is not his responsibility to take care of the State's case papers. Similarly, the third respondent, who has now been appointed as the Assistant Government Pleader, has no responsibility to provide storage space for disposed of cases. It would be the responsibility of the departments concerned to take care of such papers, be it by storing them for future purpose or destroying the same, if warranted.

There shall accordingly be a direction to the District Collector, Warangal, to take back the papers and files relating to the disposed of cases which are lying with the petitioner and do the needful as deemed fit. Insofar as the petitioner's grievance with regard to payment of his fee arrears is concerned, the respondent authorities shall pursue the matter diligently and take steps for expeditious disbursement of the arrears of the petitioner.

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

**JUSTICE SANJAY
KUMAR**

19th January, 2016
IBL