

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.14287 of 2014

ORDER:

The petitioners have been working in Government/Parishad High Schools either as School Assistants or Head Masters Grade-II in Kasturba Gandhi Balika Vidyalayas. To fill up the post of Special Officers, applications were called for from the eligible candidates working in Government/Zilla Parshad/Mandal Parishad High Schools as School Assistants. The petitioners applied and were selected as Special Officers. While so, a notification was issued on 11.09.2013 calling for applications to fill up the post of Special Officers on contract basis. Aggrieved by the said notification, the petitioners filed W.P.No.2792 of 2013 and this Court directed the respondents therein to continue the petitioners till the end of the Academic year. The said Academic year came to end by 30th April, 2014. When an order was passed on 19.04.2014 relieving the petitioners from duty with effect from 21.04.2014, the petitioners filed W.P.No.12318 of 2014 and this Court passed order on 21.0.2014 not to effect transfer till the elections are over. The petitioners state that they have spent huge amount towards diet charges and contingent bills from October, 2012 to April, 2013 and without paying the said amount, as the respondents sought to relieve by virtue of the proceedings, dated 19.04.2014, the petitioners filed the present Writ Petition.

2. This Court by order, dated 29.04.2014, granted interim stay and seeking vacation of the same, W.V.M.P.No.1658 of 2015 was

filed by the Government and W.V.M.P.No.1326 of 2014 was filed by the Project Officer, Rajiv Vidhya Mission (SSA), Visakhapatnam.

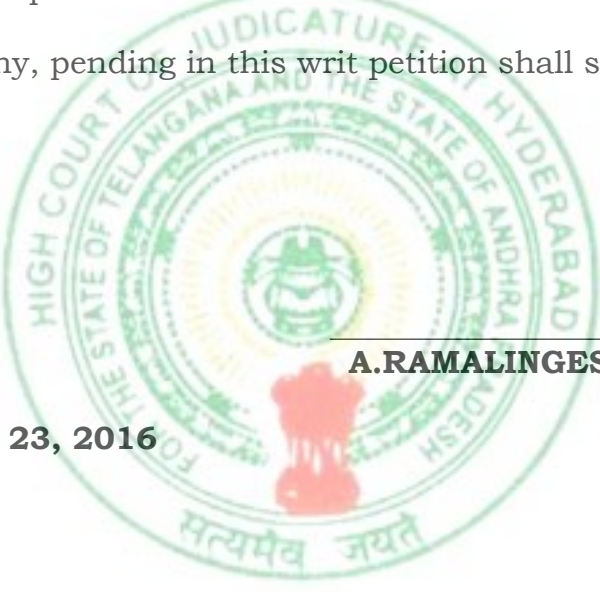
3. The connected matters are disposed on 22.09.2016 by separate orders.

4. It is clear from the averments made in the affidavit that the petitioners are working as School Assistants/Head Masters in Government/Zilla Parishad Schools and they were deputed to work as Special Officers in Kasturba Gandhi Balika Vidyalayas. But, now regular Special Officers were recruited on contract basis and in view of said recruitment, the need of the petitioners is over. In those circumstances, the petitioners were sought to be relieved from the present posts. But, the only grievance expressed by learned counsel for the petitioners is that they were going to be relieved without clearing the outstanding amount for the period from October, 2012 to April, 2013 spent by them in respect of diet charges and contingent bills.

5. An additional counter-affidavit is filed by the Project Officer, Rajiv Vidhya Mission (SSA), Visakhapatnam stating that the amounts pertaining to diet charges from October, 2012 to April, 2013 and Contingent charges from November, 2012 to March, 2013 were sanctioned and credited to the respective bank accounts of Special Officers of the concerned Kasturba Gandhi Balika Vidyalayas with a direction to distribute the same to the petitioners duly deducting the interest amount. All pending dues were cleared and no amounts were due to the petitioners.

6. In view of the fact of recruitment of Special Officers on contract basis, this Court finds no ground to interfere with the impugned order passed on 19.04.2014 relieving the petitioners from the post of Special Officers and repatriating to their parent posts.

7. Accordingly, the Writ Petition is disposed of, however, it is open to the petitioners to submit a representation, if they have any grievance with regard to outstanding amount and it is hoped that the respondents would consider the same on the basis of records and pass appropriate orders in accordance with law. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.



A.RAMALINGESWARA RAO, J

SEPTEMBER 23, 2016
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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO



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Date: 23.09.2016

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