

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.5598 of 2014

-
Date: 20.01.2016

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Between:

N.Rajani D/o N.Rama Rao, Aged about 31 years,
Working as DTP Operator, Sri Ganana Saraswathi
Devasthanam, Basar, Adilabad District.

.....Petitioner

And

The State of A.P., rep.by its Principal Secretary,
Endowments Department, Secretariat, Secretariat
Buildings, Hyderabad and others.

.....Respondents

The Court made the following:

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ORDER:

Petitioner is working as Computer Operator in the 4th respondent temple. Her services were terminated by proceedings dated 19.12.2013. Aggrieved by the said order of termination, petitioner filed W.P.No.2938 of 2014. This Court by order dated 04.02.2014 granted interim suspension of the said order of termination.

2. When the interim suspension is in force, a proposal was submitted to the Commissioner, Endowments for transferring the petitioner to Shree Jagannath Swamy Ramgopal Trust, Secunderabad on the ground that after the order of termination of petitioner, another person was appointed in the place of the petitioner and two computer operators cannot be continued in one post. The said request was rejected by proceedings dated 21.02.2014 and by the same order, the service of the petitioner were dispensed. Challenging the same, this writ petition is filed.

3. As fairly submitted by the learned Government Pleader, the said decision to dispense with services was taken during the subsistence of interim orders of this Court in W.P.No.2489 of 2014 referring to the alleged misconduct, which was the basis for order of termination passed by the Executive Officer on 19.12.2013. During the subsistence of the interim orders of this Court, no such order of dispensing the services of the petitioner could have been passed by the Commissioner. Furthermore, petitioner is working in the Trust office and by proceedings dated 20.11.2015, the Commissioner permitted her to work in the said trust office till 31.03.2016. Thus, the order of termination dispensing with services of petitioner dated

21.02.2014 is liable to be set aside and is accordingly set aside.

4. Writ petition is allowed accordingly. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P.NAVEEN RAO

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