

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THURSDAY, THE NINTH DAY OF JUNE TWO THOUSAND AND SIXTEEN
(09.06.2016)

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

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WRIT PETITION No.18155 OF 2016

C. Mallikarjuna. --- Petitioner.

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Irrigation and CAD Department,
Secretariat, Hyderabad and
five others. --- Respondents.

Counsel for the petitioner : Mr. N. Aswartha Narayana.

Counsel for the respondents
Nos.1 to 4. : Government Pleader for
Irrigation.

Counsel for the respondent No.5 : -----

Counsel for the respondent No.6 : -----

This Court made the following:

ORDER: (*Per Hon'ble Sri Justice C.V. Nagarjuna Reddy*)

The petitioner, who was temporarily promoted as Superintendent and proceeded to HNSS Circle Division No.8, Penukonda (Circle No.2), was reverted as Senior Assistant evidently to accommodate a person who is senior to him. This was assailed by the petitioner in O.A. No.1397 of 2016, on the file of Andhra Pradesh Administrative Tribunal, Hyderabad, (for short, 'the Tribunal').

The petitioner pleaded that while admitting the O.A., no interim order was granted by it. However, the petitioner sought the same relief in the present writ petition, as was claimed in the O.A., and therefore, ex-facie, the writ petition is not maintainable. At any rate, since the Tribunal has only ordered notice without rejecting the interim relief, claimed by the petitioner, he is allowed to move the Tribunal for granting appropriate relief after notices have been served on the respondents before it.

Subject to the liberty given to the petitioner, as above, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P. No.22297 of 2016 stands dismissed as infructuous.

C.V. NAGARJUNA REDDY, J

G. SHYAM PRASAD, J

Date: 09-06-2016.

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WRIT PETITION No.18155 OF 2016
(Order of the Division Bench delivered by
Hon'ble Sri Justice C.V. Nagarjuna Reddy)

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Date. 09-06-2016

DSH