

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Smt.Justice Anis

Writ Petition No.6568 of 2016

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Date: 03.03.2016

Between:

K.Siva Prasad

.. Petitioner

and

The State of Telangana
rep. by its Prl.Secretary
Hyderabad and and 4 others

.. Respondents

Counsel for the petitioner : Mr.D.Balakishan Rao

Counsel for respondent No.1: GP for Services
(TS)_____

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The Court made the following:

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O r d e r: (Per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

Feeling aggrieved by Order, dated 26-08-2014 in OA.No.10420 of 2012 with VMA.No.604 of 2013 of the Andhra Pradesh Administrative Tribunal, Hyderabad (for short 'the Tribunal'), respondent No.4 in the said OA filed the present Writ Petition.

We have heard Mr.D.Balakishan Rao, learned Counsel for the petitioner, and perused the record.

Respondent No.4 herein filed the above-mentioned OA for declaring *inter alia* that she is entitled to be appointed as the School Assistant (English) in pursuance of merit and showing her name in the list of selected candidates and to declare the action of respondent No.3 in not considering her case for appointment as the School Assistant (English) by treating her as a non-local candidate of Hyderabad District as illegal and arbitrary and in violation of presidential order.

It appears that in the said OA, respondent No.4 has sought for an interim relief for a direction to respondent No.3 to consider her claim for being treated as a local candidate of Hyderabad District and take appropriate decision. The petitioner has filed an implead application in the OA and sought for vacating

the interim order. The Tribunal has heard both the applications. During the hearing, the learned Government Pleader had submitted that based on the Certificate issued by the Tahsildar, Bandlaguda Mandal, the District Selection Committee, 2012, has considered the case of respondent No.4 as a local candidate of Hyderabad District and issued appointment order *vide* proceeding No.2337/D1/DSC/2012, dated 21-02-2013. Based on these facts and in view of the above-mentioned subsequent proceedings, as no further orders were necessary, the Tribunal has closed the OA with the observation that the grievance of respondent No.4 stood redressed.

At the hearing, the learned Counsel for the petitioner submitted that the Tribunal has committed an error in not disposing of the Vacate Miscellaneous Application filed by his client.

In our opinion, this Writ Petition is wholly needless for the reason that no relief in favour of respondent No.4 was granted by the Tribunal. From the undisputed facts, it is evident that based on an innocuous direction granted by the Tribunal to consider the case of respondent No.4, the District

Selection Committee appeared to have considered her case, treated her as a local candidate of Hyderabad District and issued appointment order, dated 21-02-2013. Thus, the interim order passed by the Tribunal worked itself out and there was no scope for the said order being vacated by the Tribunal in VMA.No.604 of 2013 filed by the petitioner. Since the Tribunal has not adjudicated OA.No.10420 of 2012 on merits, and no relief in favour of respondent No.4 was granted in its final order, the petitioner cannot be said to have been felt aggrieved by such an order. If the petitioner feels aggrieved by appointment order, dated 21.02.2013, of the District Selection Committee, 2012, by treating respondent No.4 as a local candidate of Hyderabad District, he shall be free to avail appropriate legal remedy in order to challenge the same.

Subject to the liberty given to the petitioner as above, the Writ Petition is dismissed.

As a sequel to dismissal of the Writ Petition, WPMP.No.8372 of 2016, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 3rd March, 2016
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(Anis, J)