

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.31880 of 2013 & C.C.No.1888 of 2015

COMMON ORDER:

This writ petition was filed seeking to declare the action of the respondents in discontinuing the petitioner as Teaching Assistant/Academic Consultant in the 2nd respondent-University for the academic year 2013-14 without any reason, as arbitrary and illegal.

This Court *vide* order dated 31.03.2015 in WPMP No.39615 of 2013 passed the following order:

"Learned standing counsel would point out that the academic year 2014-2015 almost drawn to a close and in fact it would get closed by 30.04.2015, which is hardly a month away from today. However, for the next academic session 2015-2016, sometime during June, the selections will be once again undertaken. Hence, if the petitioner applies, his candidature would be taken into account and consideration duly keeping in mind his past service and performance as a teaching assistant. The petition is ordered accordingly."

Alleging non-implementation of the order 31.03.2015, the petitioner filed C.C.No.1888 of 2015, wherein it is stated that he applied to the post of Teaching Assistant enclosing a copy of the interim order dated 31.03.2015, interview was conducted on 29.07.2015, but he was not selected.

In the writ petition, the respondents filed counter-

affidavit stating that the petitioner was selected during the academic year 2008-2009. The assignment is purely on temporary basis to meet the work load and administrative exigencies of the University. However, he was not selected for the academic year 2013-2014. When fresh applications were called for during the year 2015-2016, 10 candidates including the petitioner have applied, but the petitioner did not attend the interview held on 29.7.2015.

Though the petitioner stated in the affidavit that he attended the interview, the same could not be substantiated in the reply affidavit filed by him. The academic year 2015-2016 had also come to an end.

In view of the same, no relief can be granted in the present writ petition. However, if the respondents issue any fresh notification for the academic year 2016-2017, it is open to the petitioner to apply afresh. It is needless to observe that the respondents shall keep in view the past performance of the petitioner and consider his case along with other eligible candidates, in accordance with law.

With the above observations, the Writ Petition as well as the Contempt Case are closed.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

22nd July, 2016
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