

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

THURSDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND SIXTEEN
(25.02.2016)

PRESENT
THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.5900 of 2016

Between:

The Divisional Forest Officer, Kurnool
Division, Kurnool and 3 others

..... PETITIONERS

AND

R.Bhavani Singh and another

.....RESPONDENTS

Counsel for the Petitioners : **GOVT.PLEADER FOR SERVICES (A.P)**

Counsel for Respondents : ---

The Court made the following:

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.5900 of 2016

JUDGMENT: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for a Writ of Mandamus to set aside order, dated 29.01.2015, in O.A.No.1165 of 2012, on the file of the Andhra Pradesh Administrative Tribunal at Hyderabad (for short "the Tribunal").

Respondent No.1, a Forest Beat Officer of Flying Squad, Kurnool, was placed under suspension following registration of ACB case against him. He along with Accused No.1 was acquitted in the said ACB case, registered as C.C.No.39 of 2013, on the file of the Special Judge for SP and ACB Cases, Kurnool. During the pendency of the O.A., filed questioning the order of suspension, Respondent No.1 along with Forest Range Officer was acquitted in the said ACB case, by judgment dated 10.11.2014. The Tribunal has allowed the O.A based on the subsequent events.

Learned Government Pleader for Services submitted that Respondent No.1 is only a contract employee and that therefore, he is not entitled to reinstatement. In our opinion, this submission is without any merit, as till the services of Respondent No.1 are terminated by following proper procedure, he cannot be discriminated from a regular employee, who was reinstated following the acquittal in criminal case.

In this view of the matter, we do not find any error in the impugned order of the Tribunal. In the circumstances, the Writ Petition is dismissed. No order as to costs.

As a sequel to dismissal of the Writ Petition, WPMP No.7490 of 2016, filed by the petitioners for interim relief, is disposed of as infructuous.

C.V.NAGARJUNA REDDY,J

M.S.K.JAISWAL,J

Date: 25.02.2016

Dsr