

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

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT APPEAL Nos.1261 of 2011 and 1930 of 2013

26.09.2016

W.A.No.1261 of 2011:

Between:

The Government of Andhra Pradesh,
represented by the Principal Secretary,
Higher Education, Hyderabad and others

..Appellants

And

Syed Murtuza Quadri and another

..Respondents

Counsel for the appellants: Special Government Pleader
for Additional Advocate General

Counsel for respondent No.1: Mrs.M.Shalini for Mr.Ghanta Rama Rao

Counsel for respondent No.2: --

W.A.No.1930 of 2013:

Between:

Syed Murtuza Quadri

..Appellant

And

The Government of Andhra Pradesh,
represented by the Principal Secretary,
Higher Education, Hyderabad and others

..Respondents

Counsel for the appellant: Mrs.M.Shalini

Counsel for respondent Nos.1 and 2: Special Government Pleader
for Additional Advocate General

Counsel for respondent No.3: --

The Court made the following:

COMMON JUDGMENT: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

W.A.No.1261 of 2011 is filed against the order, dated 08.11.2010, in W.P.No.13772 of 2008, whereby the learned Single Judge, while setting aside the proceedings, dated 09.01.2008, impugned in the writ petition, directed the appellants to reconsider the case of respondent No.1 and regularize his services under G.O.Ms.No.212, Finance and Planning (FW.PC.III) dated 22.04.1994, in terms of observations made in the said order. For convenience, the parties are hereinafter referred to as they are arrayed in W.A.No.1261 of 2011.

2. During the pendency of W.A.No.1261 of 2011, the appellants issued G.O.Rt.No.450, Higher Education (CE.II-1) Department, dated 30.06.2011, according permission to regularize the services of respondent No.1 as Attender of respondent No.2 college, with effect from 23.04.1994, subject to the outcome of the said writ appeal.

3. After lengthy deliberations during the hearing of these Writ Appeals, both the parties have arrived at a consensus, as per which, while respondent No.1 will be entitled to the service and notional benefits with effect from 23.04.1994, he will be entitled to receive monetary benefits with effect from the month of January, 2008.

4. Accordingly, the above understanding between the parties is placed on record and W.A.No.1261 of 2011 stands disposed of. Since the parties have arrived at the above consensus based on the peculiar facts of the case, we direct that this order shall not be considered as a precedent.

5. As regards W.A.No.1930 of 2013, both the parties have submitted that as this appeal arises out of an interim order vacating the interim

order passed pending W.P.No.25600 of 2012, with the disposal of W.A.No.1261 of 2011, this writ appeal has become infructuous.

6. W.A.No.1930 of 2013 is, accordingly, dismissed as infructuous.

7. As a sequel to disposal of these Writ Appeals, W.A.M.P.No.2722 of 2011 in W.A.No.1261 of 2011 and W.A.M.P.No.3973 of 2013 in W.A.No.1930 of 2013 filed for interim reliefs shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

26th September, 2016
GHN

