

**HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION Nos. 2665 of 2014 and 28858 of 2016**

**COMMON ORDER:**

1. These two Writ Petitions are being disposed of by this common order as they were filed by the same petitioner.

2. The petitioner was initially appointed as a Record Assistant on 10.02.1985 in an unaided section in the 4<sup>th</sup> respondent college and subsequently the said college was admitted into grant-in-aid on 01.04.1994. The services of the petitioner were regularized with effect from 01.04.1994. However, the 4<sup>th</sup> respondent college was subsequently closed. But, the petitioner was appointed as a Record Assistant on duty basis under redeployment by proceedings issued by the Commissioner on 21.08.2006. The petitioner joined on 06.10.2006 consequent to redeployment and posted in the 5<sup>th</sup> respondent college. However, the petitioner suffered from some illness resulting in his incapacity to render duty and in those circumstances, he submitted a representation to the 5<sup>th</sup> respondent college on 10.03.2008 for grant of disability pension on medical grounds. On his request, the 5<sup>th</sup> respondent sent proposals for considering his case for medical invalidation.

3. This Court by order dated 06.02.2014 directed the respondents in W.P.No.2665 of 2014 to consider the representation of the petitioner dated 10.03.2008. Pursuant to the said interim order, the case of the petitioner was considered and an order was

passed on 04.12.2015 by the Commissioner of Intermediate Education, Hyderabad, rejecting the request for sanction of disability pension on medical ground as the petitioner failed to appear before the Medical Board in spite of repeated reminders. Challenging the said order, the petitioner filed the other W.P.No.28858 of 2016.

4. When both the writ petitions are taken up for consideration, the learned Counsel for the petitioner submits that the petitioner has become fit for resumption of duty and he does not press his claim for invalid pension. However, he submits that the period of absence on account of his illness has to be regulated and considered by the competent authority. It is to be seen that the said issue cannot be decided in these two writ petitions.

5. However, as these two Writ Petitions relate to the claim for invalid pension, the same are closed giving liberty to the petitioner to submit appropriate representation to the concerned authority for regulating the period of absence, if any, and his claim for such period.

6. Both the Writ Petitions are accordingly closed. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

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**A.RAMALINGESWARA RAO, J**

