

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.4256 OF 2012

ORDER:

The case of the petitioner is she was appointed as 2nd A.N.M. of Jupeda Center on 16.11.2009 in pursuance to the notification No.2 of 2008 dated 13.09.2008. While so, on complaint of the 6th respondent, the petitioner was terminated vide proceedings in Rc.No.E/2888/2008-2011, dated 10.01.2011. Against the said proceedings, the petitioner filed W.P.No.1019 of 2011 and the said writ petition was allowed and by virtue of interim order passed by this Court in the said writ petition, the petitioner continued her services till 10.12.2011. Meanwhile, the Government issued G.O.R.T.No.2021, dated 12.12.2011 extending the services of employees working in Health, Medical, Family and Welfare Departments. In spite of allowing the writ petition, the petitioner was not allowed to perform her duties and as such, petitioner made an application stating that she is entitled for continuation of service as per G.O.Rt.No.2021. As no action has been taken, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Medical and Health.

Learned counsel for the 6th respondent submits that basing on the complaint of the 6th respondent, termination orders were passed. He also submits that this Court while setting aside the termination orders vide order dated

15.09.2011 in W.P.No.10109 of 2011, granted liberty to the competent authority to take action in accordance with law.

Learned Government Pleader for Medical and Health submits that since similarly situated persons like petitioner are continued in service from time to time, the petitioner also will be allowed to continue her services.

It is to be seen that by virtue of interim order in W.P.No.1019 of 2011, petitioner was continued in service and the vacate stay petition filed in respect of the same was also dismissed. This Court cannot go into other aspects since the submission is made by the learned Government Pleader that petitioner will be continued in service like similarly situated persons. However, this will not preclude the competent authority from taking action as per the orders in W.P.No.1019 of 2011 dated 15.09.2011. Since the 6th respondent has not filed any appeal against the order passed in W.P.No.1019 of 2011, no relief can be granted to the 6th respondent in the present writ petition.

With the above observation, the writ petition is disposed of. No costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

26.12.2016
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