

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI**

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WRIT PETITION No.29308 of 2016

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

The grievance of the petitioner, a former Typist-cum-Assistant in the permanent Lok Adalat at Guntur, is that the vacancy caused by termination of her services is sought to be filled up under the notification dated 26.03.2016 despite the pendency of her appeal against termination of her services before the Andhra Pradesh State Legal Services Authority.

The petitioner was admittedly appointed on contract basis and her services were terminated during the subsistence of the contract on the ground of unauthorized absence. Aggrieved thereby, she preferred an appeal to the appellate authority under the Andhra Pradesh State Legal Services Authority Service Rules, 1999 (for short, 'the Rules of 1999'), on 02.08.2015 and the said appeal is stated to be pending.

Though Sri J.Anil Kumar, learned counsel appearing for the respondents, would contend that the Rules of 1999 have no application to the case of the petitioner, a contract employee, we are not persuaded to agree.

Perusal of Rule 1(3) of the Rules of 1999 demonstrates that the said Rules apply to all persons appointed to the service and also to the holders of posts, temporary or permanent. In effect, a contract employee would also be covered thereby.

As the appeal filed by the petitioner is still pending consideration, we find no reason to adjudicate the issues raised in that regard in this writ petition.

The writ petition is accordingly disposed of with the following directions:

The appellate authority may expeditiously dispose of the appeal dated 02.08.2015 filed by the petitioner on merits and in accordance

with law. Any appointment made in the meanwhile pursuant to the notification dated 26.03.2016 shall abide by the result of the appeal and the authorities concerned shall inform the incumbent to that effect.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

M. SEETHARAMA MURTI, J

31st August, 2016
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