

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE DR JUSTICE SHAMEEM AKTHER

W.P. No. 18886 of 2017

ORDER:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ petition is filed for the following substantive relief:

“...issue a writ or direction, more particularly in the nature of writ of mandamus declaring action of the respondents in not implementing the orders of the Tribunal in O.A.No. 1254 of 2000, dated 22.09.2004 under the guise of removing the jurisdiction of the Government employees of Telangana State from the Andhra Pradesh Administrative Tribunal, as illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India, and consequently direct the respondents to implement the orders of the Tribunal in O.A.No. 1254 of 2000, dated 22.09.2004 with all consequential benefits.”

The learned counsel for the petitioner submits that the petitioner was promoted as School Assistant Grade-II and posted to Government High School, Suryapet by Proc.No.14263/ B1/ 97, dated 17.01.1997 read with Proc.Rc.No. 14263/ B1/ 97, dated 07.02.1997 issued by the 1st respondent. Thereafter, his promotion was cancelled on 08.03.2000 and the same was challenged by the petitioner before the Tribunal in the aforementioned O.A. The Tribunal, vide order dated 22.09.2004, while setting aside the reversal order dated 08.03.2000, observed that when selections are made by the Selection Committee, even if it is termed as

temporary post, it has to be treated as regular appointment. The proceedings dated 08.03.2000 issued by the 1st respondent canceling the earlier promotion orders of the application as School Assistant, are totally illegal and vague.

As admitted by the learned counsel for the petitioner, the petitioner was promoted in the year 1997 and reverted from the post on 08.03.2000 which was challenged before the Tribunal in O.A.No. 1254 of 2000 and the same was allowed vide order dated 22.09.2004. Around 13 years have passed from the date of the order passed by the Tribunal. If the petitioner is aggrieved by any subsequent order after his reversion, he may make a representation and challenge the same before the appropriate forum as per provisions that may be available to him under law.

In view of the above observation, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

12.06.2017

SURESH KUMAR KAIT, J

bcj

DR. SHAMEEM AKTHER, J