

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SMT. JUSTICE ANIS**

WRIT PETITION NO.41956 OF 2016

O R D E R

(Per Hon'ble Sri Justice Sanjay Kumar)

This writ petition was filed by the fifth respondent in O.A.No.3351 of 2015 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. The said O.A. was filed by one M.Pullaiah, who is not even a party to this writ petition.

The prayer of M.Pullaiah in the said O.A. was for a declaration that he was entitled to be continued as a Secondary Grade Teacher at Mandal Praja Parishad School, Muthagudem, Khammam Rural Mandal, with consequential benefits. He assailed the action of the authorities in showing him as a surplus candidate while continuing the fifth respondent in the O.A., the petitioner herein, as a supernumerary non-cadre Secondary Grade Teacher. By order dated 17.06.2016, the Tribunal dismissed the O.A.

The cause for the petitioner to approach this Court is that she was not paid salaries. We however find no observation having been made by the Tribunal in the order dated 17.06.2016 in O.A.No.3351 of 2015 that the petitioner herein, being the fifth respondent in the O.A., should be paid her salaries. The prayer of the petitioner in this writ petition that she should be paid salaries plus emoluments in terms of the directions of the Tribunal in the said O.A. is therefore factually incorrect. In the event the petitioner has not been paid salaries, be it for whatever reason, it would give rise to a fresh cause of action and the same has no link with the adjudication of O.A.No.3351 of 2015. She would therefore have to seek redressal of

her grievance by way of independent proceedings in accordance with law.

Giving liberty to the petitioner to do so, the writ petition is dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

ANIS, J

15th FEBRUARY, 2017

PGS

