

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE DR JUSTICE SHAMEEM AKTHER

WRIT PETITION NOS.10224 AND 10398 OF 2017

COMMON ORDER: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

After arguing for some time, Sri P.V.Krishnaiah, learned counsel for the petitioners, would submit that, instead of keeping the Writ Petitions pending on the file of this Court, the petitioners may be permitted to avail their remedy under the proviso to Section 77(3) of the Andhra Pradesh Reorganisation Act, 2014 ("the Act" for brevity).

Section 77(3) of the Act stipulates that every person who is finally allotted under the provisions of sub-section (2) to a successor State shall, if he is not already serving therein, be made available for serving in the successor State from such date as may be agreed upon between the Governments of the successor States or, in default of such agreement, as may be determined by the Central Government.

In the present case, the petitioners' final allocation has been determined, by the Central Government, to the State of Andhra Pradesh. However, under the proviso to Section 77(3) of the Act, the Central Government has been conferred the power to review any of the orders passed by it under Section 77 of the Act. As the petitioners request that they be permitted to avail the remedy, of seeking a review, before the Central Government under the proviso of Section 77(3) of the Act, we see no reason to keep the Writ Petitions pending on the file of this Court.

The petitioners are permitted to file applications to the Central Government under the proviso to Section 77(3) of the Act within three (3) weeks from today. The first respondent shall, with utmost expedition and preferably within two (2) months from the date of receipt of the petitioners' representations, examine the petitioners' claims and pass orders thereupon in accordance with law. The other contentions raised in these Writ Petitions are left upon to be adjudicated, if need be later, in accordance with law.

Both the Writ Petitions are disposed of accordingly. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.



(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

19th April 2017
RRB