

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.28337 of 2017

Date:23.8.2017

Between:

Venkata Ramana,
S/o Yerikalappa

..... Appellant

And:

The State of A.P., repled by its
Principal Secretary, Municipal
Administration Department, Velagapudi,
Guntur District and two others.

.....Respondents

Counsel for the petitioner: Mr. N.Ramesh

Counsel for respondent Nos.1 & 2: GP for Municipal Admn(AP)

Counsel for respondent No.3: Mr. Mohd Saleem

Standing Counsel for Municipalities

The Court made the following:

ORDER: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Writ Petition is filed for a *Certiorari* for quashing order, dated 13.7.2017, in O.A.No.2713 of 2014 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad (for short 'the Tribunal').

Mr. N.Ramesh, the learned counsel for the petitioner, submitted that the Tribunal denied the relief of regularisation of the suspension period of the petitioner treating the same as on duty for all purposes and for grant of monetary benefits, and that, just before the impugned order was passed by the Tribunal, respondent No.3, vide his proceedings No.2228/2017-E1, dated 26.7.2017, has allowed the claim of the petitioner by treating the suspension period as "on duty" and ordered for payment of full pay and allowances for the said period. He further submitted that as, on the date of disposal of the said O.A., his client has not informed him about the said order, the said fact was not placed before the Tribunal. He further submitted that this Writ Petition is filed on a genuine apprehension that the impugned order of the Tribunal may influence respondent No.3 to review his order. He has, therefore, requested the Court to permit the petitioner to withdraw the said O.A. itself.

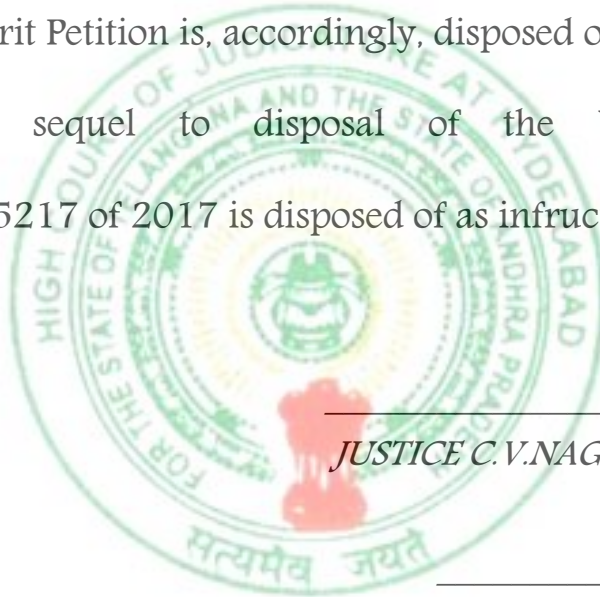
Though Mr. Md. Saleem, the learned Standing Counsel for Municipalities (Andhra Pradesh), has opposed the above

submissions of the learned counsel for the petitioner, in our opinion, when respondent No.3 himself has granted the relief to the petitioner, the latter's request for withdrawal of the said O.A. is reasonable.

In this view of the matter, the petitioner is permitted to withdraw O.A.No.2713 of 2014 and consequently, it is declared that the order passed therein by the Tribunal shall have no effect.

The Writ Petition is, accordingly, disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.35217 of 2017 is disposed of as infructuous.



JUSTICE C.V.NAGARJUNA REDDY

JUSTICE M.S.K.JAISWAL

23rd August 2017

DR