

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION Nos.34913 OF 2016 AND 5367 OF 2017

Dated:27.02.2017

W.P.No.5367 of 2017

Between:

R. Rambabu, S/o. Venkaiah, aged
about 59 years, Lecturer in Economics,
BBH College, R/o.H.No.8-70-2, Near Gas
Godown, Koyatapeta, Perala Post,
Vetapalem Mandal, Chirala, Prakasam
District, Andhra Pradesh

.. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Higher Education
(CE.A2) Department, Secretariat
Buildings, Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION Nos.34913 OF 2016 AND 5367 OF 2017

COMMON ORDER:

Heard learned counsel for the parties.

2. For convenience, the parties are referred to as arrayed in W.P.No.5367 of 2017.

3. Briefly the facts are as under:

The petitioner is a Lecturer in Economics in the 3rd respondent – College. His services were terminated by the order of the Management, dated 02.12.2015. Aggrieved thereby, the petitioner preferred an appeal before the Regional Joint Director of Collegiate Education, Guntur. The said appeal was rejected by order, dated 17.03.2016, confirming the termination. Challenging the same, the petitioner preferred revision before the Government on 21.03.2016. The Government, by interim order, dated 16.09.2016, directed **reinstatement** of the petitioner as Lecturer in Economics, pending **disposal** of the appeal.

4. Aggrieved by the interim order of the Government, dated 16.09.2016, the 3rd respondent filed W.P.No.34913 of 2016.

5. This Court, having noticed that the said order of the Government was passed without prior notice and opportunity to the petitioner, which is contrary to the mandate of Section 81(3) of the Andhra Pradesh Education Act, 1982, granted interim suspension. Praying to vacate the said interim order, WVMP is filed.

6. However, since the interim suspension granted by this Court was only with reference to the interim order of the Government for reinstatement of the petitioner, the petitioner prayed the Government to consider his revision on merits and pass

orders. Alleging that in spite of his request to consider the revision on merits, it is not disposed of, the petitioner filed W.P.No.5367 of 2017.

7. Learned counsel for the petitioner fairly submits that W.P.No.34913 of 2016 can be allowed and the interim order, dated 16.09.2016, granted by the Government in favour of the petitioner be set aside and a direction be issued to the Government to consider the revision filed by the petitioner and pass appropriate orders within a reasonable time.

8. There cannot be any objection to the respondents for passing orders to dispose of the revision pending with the Government.

9. Having regard to these submissions, W.P.No.34913 of 2016 is allowed and the interim order of the Government, dated 16.09.2016, impugned in the said Writ Petition is set aside. Consequently, the Government is directed to consider the revision, dated 21.03.2016, filed by the petitioner, and after affording due opportunity to the petitioner as well as 3rd respondent shall pass appropriate orders by assigning due reasons in support of the decision. The order as directed above shall be passed as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

10. Consequently, W.P.No.5367 of 2017 is disposed of.

There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petitions shall stand closed.

P. NAVEEN RAO, J

Date:27.02.2017

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