

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

W.P. No. 20163 of 2017

O R D E R:- (ORAL)

(Per Hon' ble Sri Justice Suresh Kumar Kait)

This writ petition is filed challenging the order dated 15.06.2017 passed by the Tribunal in O.A.No. 1484 of 2017 whereby the O.A. filed by the petitioner was dismissed.

The learned counsel for the petitioner submits that in the year 2014, the petitioner was selected as General Secretary for Andhra Pradesh Government Doctors' Association, and since then, he has been continuing as such and the same is evident from the certificate dated 08.06.2017 issued by the President of the Doctors' Association.

The learned counsel further submits that it is brought to the notice of Tribunal about the Circular Memo No.17225/ SW/ A1/ 2014-1, dated 27.09.2014 issued by the Government, wherein it is observed as under:

“Government, after careful examination of the request of the President/ General Secretary, A.P. Revenue Services Association and the President / General Secretary, A.P. Co-operative Service Association, Hyderabad, have considered the issue and hereby accord permission to retain the office bearers of all the recognized service organizations in the State of Andhra Pradesh for one more term of three (3) years for those who are completing six (6) years of term at present, in their respective working places i.e. State/ District/ Taluk Level Headquarters on par with A.P. Non-Gazetted Officers' Association. However, the competent authorities can effect such transfers on administrative grounds

even before present three (3) years' term of the expiry of the nine (9) years' period after recording the reasons."

He further submits that the Tribunal neither considered the aforementioned Circular nor passed any order to this effect.

In view of the above, and particularly the fact that the Tribunal, while passing the impugned order, has neither considered the Circular Memo dated 27.09.2014 nor recorded any finding about that issue, we hereby remand the matter back to the Tribunal for deciding the issue only in respect of the Circular Memo dated 27.09.2014. For the aforesaid purpose, the petitioner may approach the Tribunal on 03.07.2017.

With 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.

SURESH KUMAR KAIT, J

21.06.2017

DR. SHAMEEM AKTHER, J

Note:-

The Registry is directed to communicate copy of the order to the Tribunal for compliance.

b/o
bcj