

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

&

HON' BLE DR JUSTICE SHAMEEM AKTHER

W.P. No. 18602 of 2017

ORDER:- (ORAL)

Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ petition is filed for the following substantive relief:

"...issue a writ or direction, particularly one in the nature of writ of mandamus declaring action of the 1st respondent in reverting the petitioner by two stages i.e. from the post of Junior Technical Officer to Attender / Officer Subordinate vide Proc.No. SE/ CCH/ ES/ EB/ WC/ 745/ 2, dated 03.04.2012 and also the order of dismissed for default dated 20.07.2015 passed by the A.P. Administrative Tribunal, Hyderabad in O.A.No. 3084 of 2012 with V.M.A.No. 1055 of 2013, as illegal and violative of Articles 14 and 16 of the Constitution of India and set aside them; and consequently direct the 1st respondent to continue the petitioner as Junior Technical Officer."

The learned counsel for the petitioner submits that when similar situation came up before a Division Bench in W.P.No. 43901 of 2016, this Court, by order dated 22.02.2017, while dismissing the writ petition, made the following observations:

"For reasons alike as were mentioned in the order dated 24.01.2017 passed in W.P.No. 45266 of 2016 and in terms thereof, this writ petition is dismissed confirming the order dated 19.11.2015 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No. 3369 of 2012, but leaving it open to the petitioners herein to seek redressal of the grievance raised by them in the said O.A. before the appropriate forum in accordance with law. The interim order dated 16.12.2016 shall continue to

operate for a period of four weeks so as to enable the petitioners to take steps in terms of the afore-stated liberty. Pending miscellaneous petitions, if any, shall stand closed in the light of this order. No order as to costs.”

The learned counsel further submits that the present writ petition may be disposed of in the same terms as mentioned in the order dated 22.02.2017.

In view of the above submission and following the order dated 22.02.2017 in W.P.No. 43901 of 2016, this writ petition is dismissed confirming the order dated 20.07.2015 passed by the Tribunal in O.A.No. 3084 of 2012 with V.M.A.No. 1055 of 2013, however leaving it open to the petitioner to seek redressal of his grievance raised in O.A.No.3084 of 2012 before appropriate forum in accordance with law. Till then, *Status Quo* obtaining as on today with regard to the service condition of the petitioner shall be maintained. It is made clear that if appropriate application is not filed by the petitioner within a period of three weeks from today, the *Status quo* granted by this Court shall automatically stands vacated. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

09.06.2017

SURESH KUMAR KAIT, J

DR. SHAMEEM AKTHER, J

Note: Furnish copy in one week
b/o bcj