

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No. 7272 OF 2003

DATED 14TH SEPTEMBER, 2017

Between:

K.Ravinder Reddy

... Petitioner

AND

The Commissioner of Panchayat Raj,
Andhra Pradesh, Hyderabad, and another

... Respondents

Counsel for the petitioner

:

Sri S.Satyam Reddy

Counsel for the respondents

:

G.P. for Services (T.S.)



THE COURT MADE THE FOLLOWING

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

Assailing order dated 04-03-2003 in O.A.No. 1701 of 1995 on the file of the Andhra Pradesh Administrative Tribunal at Hyderabad (for short, 'the Tribunal'), whereby it has dismissed the said O.A. filed against order dated 07-04-1995 of respondent No. 2 removing the petitioner from service as Attender, the unsuccessful applicant in the said O.A. filed this Writ Petition.

2. A perusal of the order impugned in the O.A. shows that it did not contain any reasons whatsoever for rejecting the explanation offered by the petitioner. However, the Tribunal went into various factual aspects and confirmed the said order of respondent No. 2. In our opinion, the Tribunal, instead of undertaking the exercise of looking into the correctness or otherwise of the stand taken by the petitioner, ought to have remanded the matter to the respondents for reconsideration and passing appropriate speaking orders. We are therefore of the opinion that the order of respondent No. 2 requires to be set aside. We are however not inclined to remand the matter for the reason that considering the age of the petitioner, who stood at 35 years in 1995 and 43 years in 2003 when the Writ Petition was filed, he would be retiring in less than one year. It is not disputed by learned Government Pleader for Services (T.S.) that the petitioner is being continued all through on the strength of the *interim* orders granted by the Tribunal as well as this Court.

3. In these facts and circumstances of the case, the order of respondent No. 2 as well as the order of the Tribunal are set aside to enable the petitioner to continue till he reaches the age of superannuation. The Writ Petition is accordingly allowed.

4. As a sequel to disposal of the Writ Petition, W.P.M.P.No. 9496 of 2003 shall stand closed as infructuous.

C.V.NAGARJUNA REDDY, J.

GUDISEVA SHYAM PRASAD, J.

Date: 14-09-2017.

JSK

