

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE Dr.JUSTICE SHAMEEM AKTHER**

WRIT PETITION No.15941 of 2016

ORDER: (ORAL)

(Per Suresh Kumar Kait, J)

Vide the present petition, petitioner seeks direction, thereby directing the respondents to consider the case of the petitioner for appointment to the post of Village Revenue Assistant of Ellutla village, Gurram Konda Mandal, Chittoor District, by suspending the order in O.A.No.10660 of 2012 dated 28.10.2015 passed by the A.P. Administrative Tribunal, Hyderabad.

2. We note, the learned Tribunal directed the respondents to consider the case of the petitioner herein as well as respondent No.6 after the revision petition is disposed of by this Court and also C.C.No.114 of 2010 on the file of the Junior Civil Judge, Valmikipuram. In view of the above, the O.A., filed by respondent No.6 was disposed of.

3. It is not in dispute that the revision petition has already been disposed of by this Court, by maintaining the acquittal order passed by the trial Court in favour of respondent No.6. It is also not in dispute that C.C.No.114 of 2010 has already been disposed of, by acquitting respondent No.6 from all the charges. The petitioner herein has challenged the aforesaid order; however, we fail to understand, what

is the cause of action arising from the order passed by the Tribunal vide order dated 28.10.2015.

4. It is not in dispute that respondents 1 to 5 have not issued appointment order either to the petitioner or respondent No.6.

5. In view of the above, let the Department concerned take a decision and issue appointment order either in favour of the petitioner or respondent No.6, within two months from the date of receipt of this order, after considering all the facts. We hereby make it clear that if the petitioner/respondent No.6 are aggrieved by the decision taken by respondents 1 to 5, the said party is at liberty to challenge the same before the appropriate forum.

6. In view of the above, the petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions if any pending in the writ petition stand closed.

SURESH KUMAR KAIT, J

Dr.SHAMEEM AKTHER, J

June 1, 2017
MRR