

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SMT. JUSTICE ANIS**

WRIT PETITION NO.22457 OF 2015

O R D E R

(Per Hon'ble Sri Justice Sanjay Kumar)

The authorities of the Irrigation Department of the State of Andhra Pradesh along with the State filed this writ petition aggrieved by the order dated 16.11.2012 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.8937 of 2012. The said O.A. was filed by respondents 1 and 2 herein. The second respondent is the son of the first respondent. The first respondent was shown in the list of displaced persons eligible for employment in terms of G.O.Ms.No.98 dated 15.04.1986. As he attained the age of 51 years and would be left with barely 7 years of service, the second respondent herein, being his son, sought to be substituted in the place of his father in the list of displaced persons for consideration under G.O.Ms.No.98 dated 15.04.1986.

By the order under challenge, the Tribunal took note of the fact that G.O.Ms.No.45 dated 04.07.2012 was issued by the Government to provide employment to the sons/daughters of displaced persons when there was delay in providing employment to them whereby they became over-aged or were left with only few years of service. In that view of the matter, the Tribunal allowed the O.A. and directed the authorities to consider the case of the second respondent for including his name in the fit list at Sl.No.40 in the place of the first respondent and to provide him employment as per his eligibility and qualification in terms of G.O.Ms.No.98 dated 15.04.1986. This exercise was directed to be completed within a time frame.

Significantly, this order was passed as long back as in the year 2012 while the writ petition was filed only in July, 2015.

Notice having been ordered, Ms.K.V.Rajasree and Ms.B.Rajeswari, Advocates, entered appearance for the first and second respondents. Ms. B.Rajeswari, learned counsel, informed this Court that no order had been passed by the authorities in terms of the order passed by the Tribunal, constraining her clients to file a contempt petition.

We are at a loss to understand as to why the State and its authorities felt compelled to file this writ petition against an order passed three years ago. All the more so, when the Tribunal merely directed consideration of the case of the second respondent herein and allowed discretion to the authorities to pass appropriate orders taking into account his eligibility and qualification in terms of G.O.Ms.No.98 dated 15.04.1986.

The writ petition is therefore dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

ANIS, J

15th FEBRUARY, 2017

PGS