

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Writ Petition No.3812 of 2017

Order: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

The proceedings under challenge in this Writ Petition is the order dated 31.1.2017 relieving the petitioner from the Office of the CID, Telangana and to report before the Additional Director General of Police, CID, Andhra Pradesh.

The petitioner herein was finally allotted to the State of Andhra Pradesh by proceedings dated 15.3.2016, questioning which she filed O.A. No. 2366 of 2016. The Andhra Pradesh Administrative Tribunal (for brevity 'APAT') by its order in O.A. No. 2366 of 2016 dated 19.7.2016, while admitting the O.A, observed that the final allocation of the petitioner to the State of Andhra Pradesh shall be subject to the final result in the O.A. The order impugned in this writ petition, relieving the petitioner by proceedings dated 31.1.2017, is merely an order passed as a consequence of the order passed on 15.3.2016 finally allotting the petitioner to the State of Andhra Pradesh.

Sri M.Ajay Kumar, learned counsel for the petitioner, would submit that, as a notification has been issued by the Government of India excluding the State of Telangana from the jurisdiction of the Tribunal, the APAT is not taking up any O.A where the State of Telangana or its Officers are a party

and, consequently, no orders are being passed in the O.A filed by the petitioner.

Learned counsel would submit that the petitioner would withdraw the O.A, and question the order of final allocation dated 15.3.2016 before this Court. Granting the petitioner liberty to do so and as the order, relieving the petitioner, is merely a consequence of the earlier order dated 15.3.2016 finally allotting the petitioner to the State of Andhra Pradesh, we see no reason to interfere with the impugned order relieving her from service in the State of Telangana.

Suffice it to make it clear that it is open to the petitioner herein to question the impugned order dated 31.1.2017, relieving her from her post in the State of Telangana and directing her to report for duty in the State of Andhra Pradesh, along with the order of final allotment dated 15.3.2016.

Subject to the aforesaid observations, the writ petition fails and is, accordingly, dismissed. Miscellaneous Petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(Dr. SHAMEEM AKTHER, J)

6th February, 2017

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