

*THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N.BALAYOGI*

WRIT PETITION No.20420 of 2013

ORDER: (per SK,J)

The Government of Andhra Pradesh and its revenue officials filed this writ petition aggrieved by the order dated 08.03.2013 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.1595 of 2013.

By order dated 12.07.2013, this Court granted interim suspension of the order passed by the Tribunal which is presently under challenge.

Heard the learned Government Pleader for Services (Andhra Pradesh) for the petitioners and Sri V.Nitesh, learned counsel for the respondent.

The respondent filed the subject O.A. seeking a declaration that he was entitled to be selected and appointed as a Village Revenue Assistant on the basis of his merit in the recruitment process undertaken pursuant to the notification issued in the year 2011. By the order under challenge, the Tribunal held to the effect that the amendment issued by the Government under G.O.Ms.No.502, Revenue (VA) Department, dated 04.08.2012, whereby the mandal was made the unit of appointment for the post of Village Revenue Assistant, would cover the issue and the respondent herein would be entitled to appointment as a Village Revenue Assistant. It is however noticed that the respondent herein was the native of Daddanala Village, Rajupalem Mandal, Kadapa District, and the selection to the post was held in May, 2012. At that point of time, the unit of appointment was the village and not the mandal. That being so, the amendment to the rule subsequently under G.O.Ms.No.502 dated

04.08.2012 would not come to the rescue of the petitioner who was *prima facie* ineligible to aspire for the post being a resident of another village. The Tribunal therefore erred in extending to him the benefit of G.O.Ms.No.502 dated 04.08.2012 retrospectively.

The writ petition is accordingly allowed. The order dated 08.03.2013 passed by the Tribunal in O.A.No.1595 of 2013 is set aside.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE N.BALAYOGI

Date:20.02.2017

GJ

