

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDI SEVA SHYAM PRASAD

WRIT PETITION No.24811 of 2017

07.08.2017

Between:

S.Harish

..Petitioner

and

The Union of India,
represented by its Under Secretary to Government of India,
Ministry of Personnel and Training,
New Delhi and others

..Respondents

Counsel for the petitioner: Mr.P.V.Krishnaiah

Counsel for the respondents: Assistant Government Pleader (AP)

The Court made the following:



ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The petitioner herein, who is working as the Deputy Collector under Group-I Services, approached the Andhra Pradesh Administrative Tribunal (for short 'the Tribunal') with the apprehension that his manual application may not be considered as he could not send the online option for allocation to one of the two States after formation of the State of Telangana on account of the reasons beyond his control. The Tribunal has dismissed the petitioner's O.A. on the ground that it was premature.

2. Today, at the hearing, the learned Assistant Government Pleader (AP) appearing for the respondents has submitted that the petitioner's manual application, dated 14.07.2016, was forwarded by respondent No.4 to respondent No.2 and that in view of the orders passed by this Court, the allocations were put on hold. The learned Assistant Government Pleader, however, did not put-forth any reason as to why the petitioner's manual application cannot be considered. As no harm would be caused in considering the petitioner's manual application either to the two States or to any individual, we do not find any reason to not accept the petitioner's request for consideration of his manual application for option.

3. Accordingly, the Writ Petition is allowed. Respondent No.2 is directed to consider the petitioner's manual application for option forwarded by respondent No.4 for allocation to one of the two States of Telangana and Andhra Pradesh along with the options of other Officers.

4. As a sequel to allowing the writ petition, W.P.M.P.No.30745 of 2017 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

GUDI SEVA SHYAM PRASAD, J

07th August, 2017
GHN

