

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION (TR).No.124 OF 2017

Dated:15.06.2017

Between:

R.G. Bhaskar Reddy, S/o. Laxma Reddy,
Aged about 51 years, Occ: District Inspector,
Legal Metrology, Head Quarter – II,
Hyderabad

.. Petitioner

AND

The Ex. Officio Secretary and Commissioner
Of Civil Supplies, Government of Andhra
Pradesh, Secretariat, Hyderabad and another

.. Respondents



The Court made the following:

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ORDER:

As part of the disciplinary action initiated against the petitioner, he was placed under suspension vide proceedings, dated 08.10.2012. Challenging the order of suspension, the petitioner filed O.A.No.8343 of 2012 before the Andhra Pradesh Administrative Tribunal (for short, 'the Tribunal'), Hyderabad. By order dated 19.10.2012, the Tribunal suspended the proceedings, whereunder the petitioner was suspended from service with direction to reinstate him into service. In compliance of the interim directions of the Tribunal, the petitioner was reinstated by order dated 29.10.2012 and he was directed to be given posting order. By separate order dated 09.11.2012, the petitioner was attached to the Assistant Controller, Legal Metrology, Flying Squad Unit. However, the petitioner was directed to draw his salary in the existing vacancy of the post of District Inspector, Legal Metrology, Mahabubnagar. Aggrieved thereby, the petitioner filed O.A.No.8909 of 2012, which is transferred to this Court and numbered as W.P.(TR).No.124 of 2017.

2. The Tribunal suspended the order of transfer with a direction to continue the petitioner as District Inspector, Legal Metrology, Head Quarters – II, Hyderabad.

3. State filed vacate petition to vacate the said order, but the matter is pending at that stage and is transferred to this Court.

4. Having regard to the fact that stay was granted by the Tribunal on 26.11.2012 and in pursuance thereof, the petitioner is continuing in Hyderabad, this Court is not inclined to go into the merits of the issue, at this stage.

5. Since it is a case of transfer and posting and as the petitioner has already completed almost five years of service in Hyderabad by virtue of interim order granted to him, without expressing any opinion on the merits of the case, the Writ Petition is disposed of granting liberty to the competent authority to take appropriate course with reference to retention or transfer of the petitioner, as warranted in the exigency of service. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date:15.06.2017

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P. NAVEEN RAO, J