

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.30324 of 2017

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to declare the action of the 2nd respondent in not disposing of the petitioner's appeal, dated 03.03.2017, as arbitrary, illegal, in violation of well settled principles of natural justice, and contrary to the provisions of the A.P. Education Act, 1982.

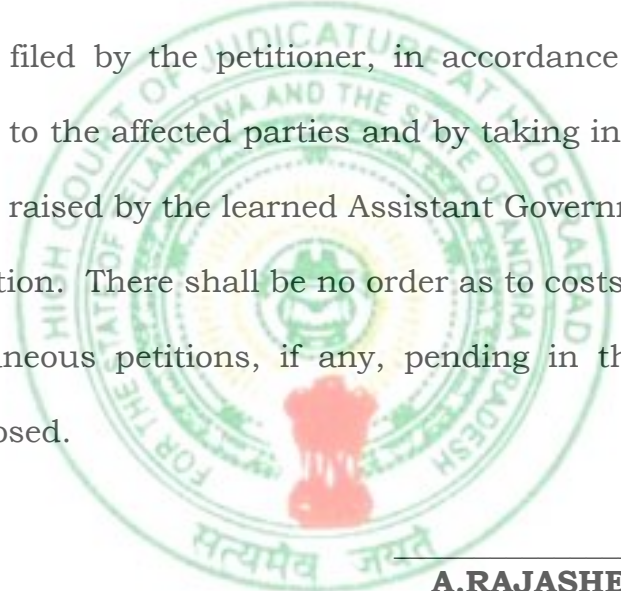
2. Heard Sri Mohammed Nahed Ali, learned counsel for petitioner and the learned Assistant Government Pleader for Higher Education for respondents 1 to 3. Perused the material available on record.

3. The case of the petitioner is that the petitioner was appointed as a Library Boy on 29.09.2001 in the 4th respondent college as per G.O.Ms.Nos.214 and 215, dated 28.05.2001, after going through the process of selection and that the 5th respondent suspended the petitioner by issuing a suspension order, dated 07.03.2012, and that the petitioner submitted an application, dated 30.10.2016, to the 5th respondent and sought information about the suspension and in pursuant to the said request, the 5th respondent addressed a letter, dated 22.11.2016, to the petitioner informing that the petitioner was terminated from service from 05.05.2012. The petitioner preferred an appeal to the 2nd respondent on 03.03.2017, but the same is not disposed of by the 2nd respondent and the same is pending. Hence, the present writ petition is filed.

4. Learned Assistant Government Pleader for Higher Education for respondents 1 to 3 submits that the termination order is passed long back by the 5th respondent i.e., on 05.05.2012, and the petitioner filed an appeal in the year 2017, which is barred by latches.

5. Taking into consideration the facts and circumstances of the case and the submissions of the learned Assistant Government Pleader for Higher Education, without expressing any opinion on merits of the case, the Writ Petition is disposed of directing the appellate authority to dispose of the appeal, dated 03.03.2017, said to have been filed by the petitioner, in accordance with law, after issuing notice to the affected parties and by taking into consideration the objections raised by the learned Assistant Government Pleader for Higher Education. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.



A.RAJASHEKER REDDY, J

Date: 8th September, 2017

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