

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.35275 OF 2017

ORDER:

Heard Mr Venkateswara Rao Gudapati for petitioner and Sri O.Manohar Reddy for respondents 1 to 3.

On 24.10.2017, at the request of learned Standing counsel, the writ petition has been directed to be listed today, to enable the Standing counsel to produce the record.

The record is produced. I have heard the counsel appearing for petitioner and perused the record also.

The Lt.Col (Retd.,) G. Kutumba Rao, petitioner herein is one of the applicants for consideration and appointment as Service Provider of 1st and 2nd respondent Corporation of MS/HSD Retail Outlet OSTs-Rangareddyguda, Mahbubnagar District.

The petitioner, at present, is working as Service Provider of a company owned and operated Retail Outlet of respondents 1 and 2. The petitioner on various factual and legal aspects challenges the interview held on 16.08.2017 and appreciation and award of marks by the interviewing committee.

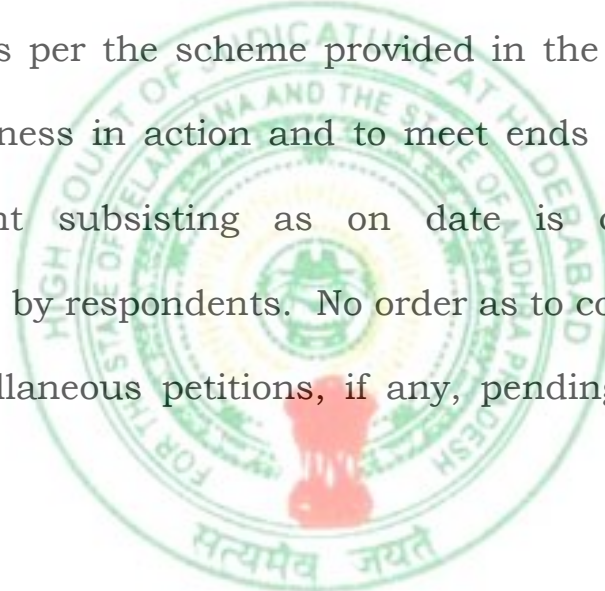
Mr O.Manohar Reddy firstly made his submissions on the merits of the grievances canvassed by the petitioner and secondly objects to the maintainability of writ petition by referring to Clause 19 (Grievance Redressal) and contends that the guidelines have in built mechanism on these grievances, the remedy ought to have been availed by the petitioner. Therefore, entertaining the writ petition at this stage, according to him is premature. To work out balance of convenience or equities and to afford fair opportunity to petitioner to avail remedy, on instructions he makes a statement that the petitioner who is for the present engaged as Service Provider would be continued till the present arrangement is subsisting till 15th December, 2017 and in the meantime, the respondents 1 and 2 may not take a final decision in appointing respondent No.4 as Service Provider. He submits that the petitioner ought to be directed to work out the remedy available under Clause 19.

I have perused the material on record including the original record produced by respondents 1 and 2. Without examining the merits of the writ prayer the writ petition is disposed of by this order:

(a) The petitioner is permitted to file petition/representation under Clause 19 before Grievance Redressal Forum within ten (10) days from today by enclosing a copy of this order.

(b) The Grievance Redressal Committee looks into each one of the grievances canvassed before it, examines the record and takes a decision as expeditiously as possible and communicates the decision to petitioner on or before 15.12.2017. As the petitioner is relegated to work out the remedies as per the scheme provided in the guidelines, to ensure fairness in action and to meet ends of justice, the arrangement subsisting as on date is continued till 31.12.2017 by respondents. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.



S. V. BHATT, J

Dt: 25.10.2017

Note:

CC in 2 days

(B/o) dv

