

* IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND

* HON'BLE SRI JUSTICE M. GANGA RAO

+ W.P.NO.42448 of 2017

% Date: 14-12-2017

Between:

Md. Khamar W/o. Md. Irfan
Occ: Contract Junior Lecturer (Urdu),
Government Junior College, Islampet,
Visakhapatnam. R/o. D.No.14-11-12-6,
Opp: Group House, Plot No.454, Bhaniji Thota,
B.C. Road, New Gajuwaka,
Visakhapatnam – 530 026.

.... Petitioner

And

1. The State of Andhra Pradesh rep. by its Principal Secretary,
Secondary Education (I.E.I) Department, Secretariat, Hyderabad,
presently at Velgapudi, Guntur District.
2. The Commissioner and Director of School Education, AP,
Hyderabad presently at Vijayawada, Krishna District.
3. The Andhra Pradesh Public Service Commission rep. by its
Secretary, Hyderabad.
4. The Commissioner of Intermediate Education, AP, Hyderabad,
presently at Vijayawada, Krishna District.
5. The Regional Joint Director, Education Department, East Godavari
District, Kakinada.

... Respondents

! Counsel for the Petitioner : Mr. M. Srikanth

^ Counsel for Respondents 1, 2 & 4 : G.P for Higher Education (AP)

^ Counsel for Respondent No.3 : Mr. C. Srinivasa Baba

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> HEAD NOTE:

? Cases referred

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE M. GANGA RAO

WRIT PETITION No.42448 of 2017

ORDER: (Per VRS,J)

Aggrieved by the rejection of her claim for appointment as Junior Lecturer (Urdu), the petitioner went before the Tribunal, but could not get a relief, forcing her to come up with the above writ petition.

2. Heard Mr. M. Srikanth, learned counsel for the petitioner. Learned Government Pleader for Higher Education (AP) takes notice for respondents 1, 2, 4 and 5, and Mr. C. Srinivasa Baba, learned counsel takes notice for the 3rd respondent.

3. By a notification dated 26.11.2008, the Service Commission notified six posts of Junior Lecturers in (Urdu). Out of six posts, one was in Zone-III, one was in Zone-VI and the remaining four belonged to the city cadre.

4. The petitioner, who was working on contract basis, applied. Though she got short listed, she could not secure appointment.

5. Therefore, the petitioner filed O.A.No.5850 of 2013 on the file of the Andhra Pradesh Administrative Tribunal. The Tribunal gave an interim direction, pursuant to which the 1st respondent passed an order on 09.11.2015 to the effect that the case of the petitioner could not be considered in Zone-I, as the vacancy in Zone-I had not been notified. The petitioner then sought amendment of her prayer before the Tribunal to enable her to challenge the order dated 09.11.2015. After amendment was allowed, the main Original Application was dismissed by the Tribunal forcing the petitioner to come up with the above writ petition.

6. As seen from the notification, there was only one post in Zone-III, one post in Zone-VI and four posts in City. The petitioner could not come within the Zone of consideration. She belonged to Zone-I. The post in Zone-I was not notified. Therefore, the recommendation made by the Commissioner of Intermediate Examination to create a supernumerary post and to consider the case of the petitioner was not actually feasible of being complied with. Hence the Tribunal was right in rejecting the application. Therefore, the writ petition is dismissed.

7. As a sequel, miscellaneous petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

14th December, 2017
Js.



V. RAMASUBRAMANIAN, J.

M. GANGA RAO, J.

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE M. GANGA RAO

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