

HONOURABLE SRI JUSTICE NOUSHAD ALI

WRIT PETITION No.23328 OF 2013

-
Date: 07-08-2013
-
-

Between:

Sd.Riyaz. ... Petitioner

And

The A.P. GENCO,
rep. by its Managing Director,
Vidyuth Soudha, Somajiguda,
Khairatabad, Hyderabad and another. ... Respondents

-
-
-

HONOURABLE SRI JUSTICE NOUSHAD ALI

WRIT PETITION No. 23328 OF 2013

ORDER:

The petitioner was an applicant for the post of Junior Plant Attendant (JPA) pursuant to the notification dated 05.01.2011. He claims that he belongs to OC category. He appeared for the written test and also for the trade test and secured 78.19 marks. His case was considered for being appointed at the stations as per the zone claimed by him and the preferences indicated by him in the application. He has not been selected finally since more meritorious candidates were available.

2. It can be noticed that the first notification was issued on 05.01.2011 and the Supplemental Notification was issued on 17.10.2011. The petitioner responded to the said notification and participated in the selection process willingly accepting the conditions of the notification. He has allowed the process of selection to go on. After declaring the results, selection list has also been published and it is at the stage of issuing appointment orders to the selected candidates.

3. At this stage this writ petition is filed challenging the service regulations and the notification dated 17.10.2011 which provide for Local Reservations and seeking to set aside

the entire selection process including the selections already made.

4. In my considered view, this relief cannot be considered in the absence of those who were already selected and awaiting appointment orders. The relief sought for in the writ petition has a direct impact on the selections and those who have been selected will be denied postings. Hence, I asked Sri Peeta Raman, learned counsel appearing for the petitioner repeatedly whether he is willing to implead the persons who are likely to be affected. The learned counsel vehemently protested and submitted that he is under no obligation to implead any person. According to him, appointment orders have not been issued so far to anybody and no right has accrued to any candidate. I am not in agreement with the contention. Admittedly, what all remains is the issuance of appointment orders which is only a ministerial act.

5. Having regard to the aforesaid facts, I am not inclined to entertain the writ petition. The writ petition is liable to be dismissed for non-joinder of necessary parties. There shall be no order as to costs. As a sequel, W.P.M.P.No.28647 of 2013 is dismissed as unnecessary.

NOUSHAD ALI, J

August, 07, 2013.
KVS

HONOURABLE SRI JUSTICE NOUSHAD ALI

WRIT PETITION No.23328 OF 2013

Dated: 07-08-2013

KVS

