

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

W.P.No.3789 OF 2018

ORDER: (ORAL)

(per Hon'ble Sri Justice Suresh Kumar Kait)

Vide the present petition, the petitioners have assailed the order dated 17.08.2017 passed in O.A.No.2390 of 2017 by the Andhra Pradesh Administrative Tribunal at Hyderabad, whereby the application filed by the petitioners under Section 19 of the Administrative Tribunal Act 1985 has been dismissed.

3. Learned counsel appearing on behalf of the petitioners submits that the similar issue came before this Court in W.P.No.1956 of 2018 and while setting aside the order dated 10.08.2017 in O.A.No.2367 of 2017 the respondents were directed as under:

“The respondents are directed to treat the present writ petition as a representation/relevant material. Also, the petitioners shall make a fresh representation to the 4th respondent who shall forward the same to the 1st respondent along with a copy of the present writ petition within a period of one week from the date of receipt of such representation. Thereafter, the 1st respondent shall decide the petitioners' representation in the light of the order passed by this Court in W.P.No.24377 of 2007 which was confirmed in W.A No.782 of 2010 and as per the order dated 19.09.2017 passed in W.P.No.27217 of 2017 within a period of two months from the date of receipt of representation and communicate the decision to the petitioners in writing, within one week thereafter.”

4. Learned counsel appearing on behalf of the respondents does not dispute the submissions made by the learned counsel for the petitioners and submits that the similar order may be passed in the present petition also.

5. Keeping in view the submissions made by the learned counsel for the parties, since the issue in the present petition has already been decided in W.P.No.1956 of 2018 mentioned above, therefore, we hereby direct the respondents to treat the present writ petition as a representation/relevant material. Also, the petitioners shall make a fresh representation to the 4th respondent who shall forward the same to the 1st respondent along with a copy of the present writ petition within a period of one week from the date of receipt of such representation.

6. Thereafter, the 1st respondent shall decide the petitioners' representation in the light of the order passed by this Court in W.P.No.24377 of 2007 which was confirmed in W.A No.782 of 2010 and as per the order dated 19.09.2017 passed in W.P.No.27217 of 2017 within a period of two (02) months from the date of receipt of representation and communicate the decision to the petitioners in writing, within one week thereafter.

7. In view of the above observation, the Writ Petition is allowed. Consequently the order dated 17.08.2017 passed in O.A.No.2390 of 2017 is hereby set aside.

8. It is needless to mention here that if the petitioners are still aggrieved by the decision of the respondents, they are at liberty to approach appropriate forum. No order as to costs.

Miscellaneous Petitions, if any pending, shall stand closed.

SURESH KUMAR KAIT, J.

ABHINAND KUMAR SHAVILI, J.

Date : 25-06-2018
Gvl

