

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

WRIT PETITION No.6577 of 2018

ORDER: (Oral)

(Per Suresh Kumar Kait, J)

Vide the present petition, petitioner has challenged order dated 18.01.2018 passed in O.A.No.1759 of 2015 by the A.P. Administrative Tribunal, Hyderabad, whereby respondents 3 and 4 were directed to consider the case of the petitioner for continuation of the post of Part Time Junior Assistant-cum-Bill Collector in Venkatapuram Gram Panchayat and to appoint or continue the petitioner in the said post taking into consideration the fact that the criminal cases in CC Nos.170/2012 and 171/2012 pending against the petitioner are ended in acquittal, on submission of representation if any within one month from the date of receipt of the order.

2. Learned counsel for the petitioner submits that he has no grievance on the order of the learned Tribunal directing the respondents as mentioned above, however, the O.A., has been dismissed by the learned Tribunal, which would come in the way of the petitioner.

3. We note, respondents 3 and 4 were directed to consider the case of the petitioner for continuation of the post of Part Time Junior Assistant-cum-Bill Collector in Venkatapuram Gram Panchayat and to appoint or continue him in the said post in view of the fact that the

criminal cases pending against him ended in acquittal. It was further directed that on submission of representation, if any, by the petitioner within one month from the date of the order, the same shall be acted upon.

4. We are of the considered view that, after issuing directions in para-26 of the impugned order, the learned Tribunal, instead of dismissing the O.A., could have disposed of the same, in view of the directions issued by it.

5. In view of the same, we hereby set aside the finding of the Tribunal that the O.A., is dismissed. Accordingly, the said finding is modified and it shall be read that the O.A., is disposed of with the directions issued.

6. Writ petition is accordingly disposed of. No order as to costs.

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

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

February 27, 2018
MRR