

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.18921 OF 2003

ORDER:

1. When the matter is taken up for hearing, it has been contended by Sri M.Rama Rao, learned counsel for the petitioner, that the petitioner has applied for voluntary retirement *vide* letter, dated 28.05.2003. The petitioner has specifically stated in the said letter that he would be retiring under voluntary retirement basis with effect from 09.09.2003 and the respondents have accepted the application of the petitioner, for voluntary retirement, *vide* proceedings dated 30.05.2003. The petitioner further submits that even before the effective date of retirement *i.e.*, on 09.09.2003, the petitioner has withdrawn his voluntary retirement application *vide* letter dated 30.06.2003 but the respondents declined to entertain the request for withdrawal of the voluntary retirement of the petitioner. Challenging the same, the present writ petition is filed.

2. Learned counsel further submits that, at the time of admission, this Court was pleased to grant *status-quo* on 08.09.2003 and, by virtue of the said interlocutory orders passed by this Hon'ble Court, the petitioner is continuing in service and when the respondents have filed vacate stay application seeking to vacate the *status-quo* order, this Court was pleased to dismiss the said vacate stay application and made the *interim* order absolute *vide* order dated 10.08.2004. Learned counsel further submits that, in view of the above said submissions, appropriate orders be passed directing the respondents to continue the petitioner in service till he attains the age of superannuation.

3. Sri K.Vasudeva Reddy, learned Government Pleader for School Education, appearing on behalf of the respondents, had not disputed about the said facts.

4. This Court, having considered the above said submissions, is of the considered view that by virtue of the interlocutory orders, the petitioner is allowed to be continued in service and the ends of justice would be met if the petitioner is allowed to be continued till he attains the age of superannuation, in accordance with the rules.

5. Accordingly, with the above observation, the writ petition is disposed of. No order as to costs.

6. Consequently, miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Date: 23.11.2018.
Dsh

ABHINAND KUMAR SHAVILI, J



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Date. 23.11.2018

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