

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION NO.16574 OF 2015

ORDER: (per SK,J)

The State of Telangana and its police officials are the petitioners. They are aggrieved by the order dated 26.08.2014 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad (for short, 'the Tribunal'), in O.A.No.5065 of 2014 filed by the first respondent herein. Thereby, the order of removal dated 16.01.2005 passed by the Superintendent of Police, Adilabad, against the first respondent was set aside and the authorities were directed to reinstate her in service forthwith. This order was passed by the Tribunal being of the opinion that the matter was squarely covered by its earlier order dated 25.04.2013 passed in O.A.No.1493 of 2013.

By order dated 16.06.2015, this Court granted interim suspension of the order under challenge.

Learned Government Pleader for Service-I, State of Telangana, would contend that the Tribunal was under a mistaken impression that the issue was covered by its earlier adjudication. He would point out that this was not a case of removal of the first respondent from service on the ground of irregularity or misconduct but a case of resignation. The District Order dated 16.01.2005 bears out this fact as it refers to the resignation of the first respondent from service.

The matter was heard on 27.08.2018 and as this Court found that the first respondent entered appearance through Sri S.Chandrasekhar, learned counsel, but his name was not printed in the cause list, the case

was adjourned to 04.09.2018 with a direction to the Registry to print his name in the cause list.

Today, though the matter appears in the cause list with the name of the learned counsel for the first respondent, there is no representation on his behalf.

However, in the light of the aforestated facts, it is clear that the Tribunal was under a misconception that its earlier adjudication in relation to removal of Home Guards from service in violation of the due procedure covered this case also. That was not so as the first respondent seems to have resigned from service on her volition.

The writ petition is accordingly allowed setting aside the order dated 26.08.2014 passed by the Tribunal in O.A.No.5065 of 2014.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.



SANJAY KUMAR,J

M.GANGA RAO,J

Date:04.09.2018

GJ