

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

WRIT PETITION No. 34893 OF 2015

ORDER: *(Per Hon'ble Sri Justice Sanjay Kumar)*

The State of Andhra Pradesh and its officials in the Education Department filed this writ petition aggrieved by the order dated 26.02.2014 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.1784 of 2012. The said O.A. was filed by the 1st respondent herein assailing the Memo dated 31.12.2011 issued by the Government of Andhra Pradesh, whereby the Government noted that four Special Teachers were still waiting for absorption in Guntur District and therefore, the 1st respondent's case could not be considered at that time.

2. By the order under challenge, the Tribunal allowed the O.A. directing the authorities to consider creation of a supernumerary post, if necessary, in the category of Secondary Grade Teacher, so that the 1st respondent-applicant could be appointed to the said post.

3. It is not in dispute that the 1st respondent-applicant was initially appointed in Krishna District and then got transferred to Guntur District. As the said transfer was at her own request, she had to forego her seniority in Krishna District. Therefore, her case could not be considered for absorption in Guntur District as she no longer had the benefit of her seniority in Krishna District.

4. Sri T.V.V.Koteswara Rao, learned counsel for the 1st respondent-applicant, states that his client is now desirous of returning to Krishna District.

5. Learned Government Pleader for Services, State of Andhra Pradesh, appearing for the petitioners states that the authorities are willing to allow her to do so provided she chooses to abide by the rules with regard to her return to Krishna District from Guntur District.

6. In that view of the matter, the writ petition is disposed of directing the authorities to consider the plea of the 1st respondent-applicant to return to Krishna District strictly in accordance with the rules. Action in this regard shall be taken expeditiously and in any event, not later than four (4) weeks from the date of the 1st respondent-applicant applying for the said relief.

7. 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: 20.12.2018
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20th day of December, 2018

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