

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

WRIT PETITION NO.12879 OF 2018

ORDER

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

The petitioner is the applicant in O.A.No.428 of 2018 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad (*hereinafter*, 'the Tribunal'). His prayer therein was to direct the Commissioner, Women Development and Child Welfare Department, State of Andhra Pradesh, to consider his representations dated 21.03.2016, 06.07.2017 and 08.12.2017, whereby he sought reinstatement in service in the light of the order passed by this Court on 02.06.2017 in W.P.No.21094 of 2014 and the subsequent reinstatement of the Supervisor, the petitioner therein, in service on 04.12.2017. By order dated 08.03.2018, the Tribunal dismissed the O.A. Aggrieved thereby, the applicant therein is before this Court.

Perusal of the order under challenge reflects that the Tribunal took note of the fact that the Commissioner, Women Development and Child Welfare Department, State of Andhra Pradesh, was the authority who had passed the order of termination from service against the petitioner-applicant on 17.05.2014 and he therefore had no jurisdiction to entertain the representations and exercise the power of review, as no such power vested in him.

Though there can be no dispute with this legal proposition, it appears that the petitioner sought reinstatement in service in the light of the subsequent developments in the form of W.P.No.21094 of 2014 filed by one of his co-accused employee being allowed resulting in her reinstatement in service. This aspect of the matter would have a vital impact on the

termination of the petitioner-applicant from service based on the same process.

On the above analysis, the writ petition is disposed of permitting the petitioner to make a suitable representation to the Government of Andhra Pradesh in the light of the subsequent developments. In the event such a representation is made, the same shall be considered on its own merits and in accordance with law expeditiously.

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

16<sup>th</sup> APRIL, 2018  
Sw



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SANJAY KUMAR, J

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M. GANGA RAO, J