

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

WRIT PETITION NO.14524 OF 2018

ORDER

(Per Hon'ble Sri Justice Sanjay Kumar)

The prayer of the petitioner, an Assistant Labour Officer working in the State of Telangana, reads as under:

'For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue writ or order more particularly one in the nature of writ of MANDAMUS by declaring the action of the 1st respondent in issuing proceedings No.A1/4050/2016 dated 9.4.2018 relieving the petitioner from the post of Assistant Labour Officer contrary to the decision of the 6th respondent vide Circular Memo. No.808653/Ser.A/2017 dated 8.3.2018 as illegal, arbitrary, without jurisdiction and violative of Article 14 and 16 of the Constitution of India and consequently quash and set aside the same by holding that the petitioner is entitled to continue as Assistant Labour Officer till the final decision is taken by the Hon'ble Supreme Court in the Contempt Cases and to pass such other orders as are necessary in the interests of justice.

We are informed that a similar issue arose for consideration in W.P.No.5419 of 2018 before another Division Bench of this Court and, upon being apprised that the Supreme Court was seized of the issue, the said Division Bench disposed of the writ petition, by order dated 08.03.2018, directing the authorities to continue the petitioner therein in service as per the willingness given on 02.01.2017 pursuant to the letter issued by the Andhra Pradesh Public Service Commission.

Sri C.Srinivasa Baba, learned counsel for the Andhra Pradesh Public Service Commission, also concedes that the same relief can be extended to the petitioner herein.

For reasons alike as were mentioned in the aforestated order and in terms thereof, this writ petition is disposed of directing the continuance of the petitioner in service as per the willingness given by him. As proceedings dated 09.04.2018 have already been issued by the Commissioner of Labour, Telangana State, relieving the petitioner from the post of Assistant Labour Officer, Circle-I, Warangal, the said order shall stand set aside and the petitioner shall be restored to the post in the event it has already been acted upon. Needless to state, the same would be subject to the outcome of the case pending before the Supreme Court.

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

23rd APRIL, 2018

Note: Issue C.C. by tomorrow.
B/o Svv