

HON'BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No. 25166 of 2018

ORDER:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ petition is filed challenging the order dated 07.02.2018 in O.A.No. 187 of 2018, whereby the A.P. Administrative Tribunal, Hyderabad, while admitting the application filed by the petitioner under Section 19 of the Administrative Tribunals Act, 1985, ordered issuance of notice to the respondents.

The brief facts of the case are that the petitioner, while working as Constable in the respondent – Department, applied for the post of Sub-Inspector (Civil) in pursuance of the Notification of the year 2008. The petitioner's candidature was rejected for the reason that he had suppressed the fact that a criminal case was pending against him. Challenging the same, the petitioner filed O.A.No. 11709 of 2009 and the same was allowed by the Tribunal vide order dated 09.07.2010. Being aggrieved by the order of the Tribunal, the respondents filed W.P.No. 30384 of 2010 and the same was dismissed.

It is pertinent to note that this Court, by order dated 30.03.2011 in W.P.No. 30384 of 2010, dismissed the writ petition filed by the respondents confirming the order of the

Tribunal whereby the respondents were directed to issue appointment orders as Sub-Inspector of Police (Civil) in pursuance of the selection with effect from the date of his original selection and send him for training whenever it commences. Thereafter, in pursuance of the order of this Court, the respondents issued appointment letter dated 16.05.2012 indicating therein that the petitioner has been taken on to Academy's Training Rolls with effect from 02.05.2012 and assigned APPA Chest No.1086. Later, the petitioner made representation to the respondents to take on roll with effect from the date of the original selection as per the direction given by the learned Tribunal in the order dated 09.07.2010 in O.A.No. 11709 of 2009. However, the 1st respondent rejected the petitioner's request vide order dated 01.01.2018 which is in violation of the order dated 09.07.2010 of the Tribunal and the order dated 30.03.2011 passed by this Court.

Even though the petitioner was supposed to have filed Contempt Case, but instead, he filed O.A.No. 187 of 2018, and the learned Tribunal, by order dated 07.02.2018, admitted the application.

Inasmuch as the O.A. is of the year 2018, without going into merits of the matter as set out before the Tribunal and keeping in view the fact that the respondents have blatantly

violated the orders of the Tribunal as well as this Court, we hereby direct the Tribunal to decide O.A.No. 187 of 2018 filed by the petitioner, within a period of six months from the date of receipt of a copy of this order.

With the above observation, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

20.07.2018

SURESH KUMAR KAIT, J

bcj

ABHINAND KUMAR SHAVILI, J

