

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

WRIT PETITION No.21170 OF 2017

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The Andhra Pradesh Public Service Commission filed this writ petition aggrieved by the order dated 22.03.2017 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.5495 of 2013. The said O.A. was filed by the first respondent herein assailing the Memos dated 16.03.2011, 29.01.2014 and 29.03.2014 issued by the Commission disposing of the representations made by him. By the order dated 22.03.2017, the Tribunal set aside the impugned Memos and directed the authorities to consider the case of the first respondent/applicant as per the revised provisional list in terms of his willingness.

By order dated 29.06.2017, this Court granted interim suspension of the order under challenge.

Heard Sri C.Srinivasa Baba, learned counsel for the Andhra Pradesh Public Service Commission, and Sri S.Ajay Kumar, learned counsel representing Sri S.Jagadish, learned counsel for the first respondent/applicant.

We are informed that the very same issue was the subject matter for consideration before the Supreme Court in Contempt Petition (C) No.820 of 2017 along with M.A.No.284 of 2017 in C.A.No.5099 of 2016 and batch and, by order dated 25.04.2018, the Supreme Court made it clear that appointments made after G.O.Ms.No.124 dated 07.03.2002 alone are to be disturbed and directed the Andhra Pradesh Public Service

Commission to revise the list in respect of all vacancies available and arising from 07.03.2002.

Sri C.Srinivasa Baba, learned counsel, would inform this Court that pursuant to the aforestated order, revised provisional list of allocation dated 27.04.2018 has been drawn up calling upon those affected thereby to submit their objections, if any, before 03.05.2018.

Sri S.Ajay Kumar, learned counsel, would fairly state that in the light of this development, his client may be permitted to submit his objections, if any, to the aforestated revised list within the time stipulated therein.

In the light of these subsequent developments, we are of the opinion that the order dated 22.03.2017 passed by the Tribunal in O.A.No.5495 of 2013 would not survive for independent action.

The writ petition is accordingly disposed of setting aside the order under challenge and leaving it open to the first respondent/applicant to submit his objections, if any, to the revised list dated 27.04.2018. The said objections, if filed within time, shall be considered by the Andhra Pradesh Public Service Commission in accordance with the procedure.

Interim order dated 29.06.2017 shall stand vacated. 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: 02.05.2018
IBL