

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

WRIT PETITION NO.37796 OF 2014

ORDER: (per SK,J)

O.A.No.8420 of 2010 was filed by the first respondent herein before the Andhra Pradesh Administrative Tribunal, Hyderabad, assailing G.O.Rt.No.1434, Revenue (Vigilance-IV) Department, dated 09.07.2008. He also sought a consequential direction to the authorities to consider his case for promotion to the post of Additional Commissioner of Endowments without reference to the Charge Memo issued in G.O.Rt.No.1434 dated 09.07.2008. By order dated 04.03.2013, the Tribunal allowed the O.A. setting aside the Charge Memo in G.O.Rt.No.1434 dated 09.07.2008. The Tribunal further directed the authorities to consider the claim of the first respondent-applicant for promotion to the post of Additional Commissioner of Endowments, if he was otherwise eligible and comes within the zone of consideration, in accordance with the rules. Aggrieved by these directions, the State of Andhra Pradesh and the Commissioner of Endowments, Hyderabad, filed this writ petition.

Interim suspension of the order under challenge was granted by this Court on 09.12.2014.

We are now informed by Mr. P.Gangaiah Naidu, learned senior counsel appearing for Ms. G.Bhanu Priya, learned counsel for the first respondent-applicant, that after the interim suspension was granted by this Court, the Government of Andhra Pradesh went ahead with the disciplinary proceedings and issued G.O.Rt.No.22, Revenue (Vigilance-IV) Department, dated 09.01.2015. By the said G.O., the Government imposed upon the first respondent-applicant the punishment of reduction of pay permanently by three stages. Learned senior counsel would further inform this Court that

aggrieved by the punishment imposed *vide* G.O.Rt.No.22 dated 09.01.2015, the first respondent-applicant preferred a revision under the Andhra Pradesh Charitable and Hindu Religions Institutions and Endowments Act, 1987, and the revisionary authority took a decision to allow the revision and set aside the punishment imposed *vide* G.O.Rt.No.22 dated 09.01.2015.

Learned Government Pleader for Services would confirm these facts but states that the order in the revision is yet to be passed and that final orders have not been passed therein owing to the pendency of this writ petition.

In the light of the aforesaid facts, it is clear that the litigation in relation to the Charge Memo has become infructuous, in view of the disciplinary proceedings initiated by the Government, pursuant to the suspension granted in this writ petition, culminating in the final punishment order *vide* G.O.Rt.No.22 dated 09.01.2015. As we are informed that the first respondent-applicant has already preferred a revision against the same and the Government is refraining from passing orders in the revision petition only because of the pendency of this writ petition, this writ petition is closed leaving it open to the Government of Andhra Pradesh to pass appropriate orders in the revision preferred by the first respondent-applicant against the punishment imposed upon him *vide* G.O.Rt.No.22 dated 09.01.2015, in accordance with law.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR,J

Date:17.04.2018

M.GANGA RAO,J

GJ