

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No. 25335 of 2007

ORDER:-

This writ petition is filed seeking to issue a writ of *Mandamus* declaring the proceedings Rc.No. 1916/ A3/ VI/ 2007-15, dated 15.11.2007 issued by the 3rd respondent, as illegal and arbitrary and consequently direct the respondents to consider the petitioner's claim for permanent absorption in Government service with all consequential benefits.

Heard Sri P.Kishore Rao, learned counsel for the petitioner and the learned Government Pleader for Education appearing on behalf of the respondents and perused the material placed on record.

The brief facts of the case are that the petitioner was initially appointed as Attender in Noble Junior College, Hyderabad. After rendering considerable length of service, his post was admitted into grant-in-aid on 13.05.1991. Later, for various reasons the Noble Junior College was closed down and the respondents had redeployed staff working in that college to various Government and other needy aided colleges. The grievance of the petitioner is that some of the teaching and non-teaching staff of the Noble Junior College were posted in Government colleges, whereas the petitioner,

by virtue of impugned proceedings dated 15.11.2007, was posted to work as Attender in Loyola Academy Junior College, Hyderabad. Hence, the present writ petition is filed.

The learned counsel for the petitioner contends that though some of the teaching and non-teaching staff of the Noble Junior College were redeployed and posted in Government colleges, the case of the petitioner, who is similarly situated, should also be considered to be posted in Government college and he should be absorbed in Government service.

The learned Government Pleader contends that the staff of the Noble Junior College was deployed as per vacancy position and some of the staff of that college were absorbed in Government colleges and rest of them were adjusted in needy aided vacancies in other private colleges and the petitioner is drawing salary in aided post even in the newly posted place i.e. Loyola Academy Junior College, Hyderabad and no prejudice will be caused to the petitioner.

This Court, having considered the rival submissions of both the parties, is of the opinion that no case is made out by the petitioner entitling him to post him in Government college and he should be absorbed in Government service. Since the petitioner is drawing salary even in the newly posted place

i.e. Loyola Academy Junior College, Hyderabad, he should not have any grievance.

The writ petition is devoid of merit and the same is accordingly dismissed. No order as to costs.

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

ABHINAND KUMAR SHAVILI, J

28.08.2018

bcj

