

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

WRIT APPEAL NO.1104 OF 2018

JUDGMENT: (per SK,J)

The appellant is the petitioner in W.P.No.10542 of 2018. She is aggrieved by the order dated 12.04.2018 passed therein by a learned Judge of this Court modifying the interim suspension granted earlier in relation to the seniority list notified under proceedings dated 14.03.2018 of the Director of Public Health and Family Welfare, State of Telangana, Hyderabad, and observing that there was no reason to stall the promotion of the seventh respondent in the writ petition though the same would be subject to further orders in the writ petition.

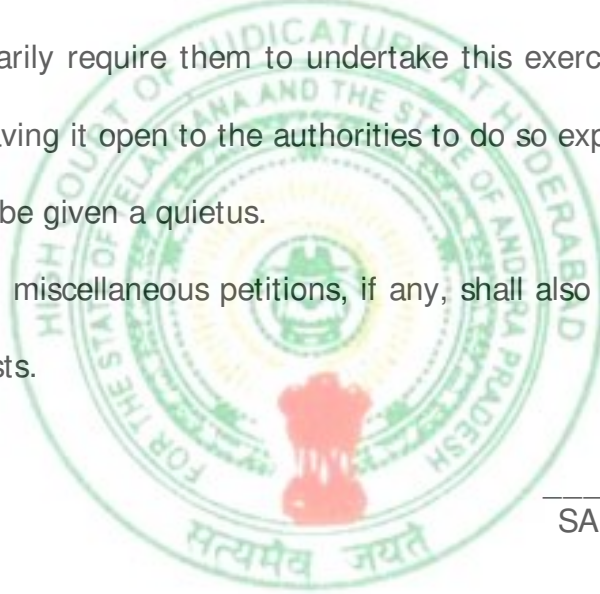
It is an admitted fact that the appellant-petitioner also filed W.P.No.24509 of 2018 in relation to the statutory rules notified under G.O.Ms.No.466 dated 16.10.1998 read with the clarification issued by the Director of Medical Education, State of Telangana, Hyderabad, under letter dated 08.06.2017, and an interim order was passed therein by another learned Judge of this Court on 18.07.2018 observing that the decision of the respondents to revise the seniority list finalised in the year 2015 and bringing Sister Tutors into Nursing Tutors Grade-II category and assigning them higher seniority is not valid. The learned Judge accordingly granted an interim direction as prayed for.

In W.P.No.24509 of 2018, the interim prayer reads to the effect that the authorities should not fill up the existing vacancy of Nursing Tutor Grade-I in the School of Nursing, MGM Hospital, Warangal, except in accordance with the statutory rules issued in G.O.Ms.No.466 dated

16.10.1998 read with the letter dated 08.06.2017 of the Director of Medical Education, State of Telangana, Hyderabad.

In the light of these conflicting interim orders, it is for the authorities who seem to be responsible for this entire controversy to resolve the same. At this stage, we find no grounds to entertain this writ appeal and adjudicate the issues arising in these writ petitions which are still pending. The authorities need to address the issue as to how the two posts in question are to be treated in the light of the statutory rules framed under Article 309 of the Constitution and resolve the dispute. As the conflicting interim orders passed in the two writ petitions, referred to above, necessarily require them to undertake this exercise, we close this writ appeal leaving it open to the authorities to do so expeditiously so that the issue may be given a quietus.

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



SANJAY KUMAR,J

M.GANGA RAO,J

Date:12.09.2018

GJ