

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

I.A.NO.1 OF 2016 (WPMP.NO.33089 OF 2016)
IN WRIT PETITION NO.26389 OF 2014
AND
WRIT PETITION NO.26389 OF 2014

COMMON ORDER: (per SK,J)

The petitioner is the unsuccessful applicant in O.A.No.8968 of 2013 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. He was a Slum Development Officer in the service of the Greater Hyderabad Municipal Corporation (GHMC), Hyderabad. His prayer in the O.A. was to treat the period of his suspension from 23.12.1991 to 15.10.1994 and also the period of dismissal from 10.08.2004 to 09.07.2013 as on duty. By order dated 23.06.2014, the Tribunal disallowed his plea and dismissed the O.A. Aggrieved thereby, he filed the present writ petition.

No interim orders were granted by this Court in this writ petition.

While so, the petitioner-applicant filed I.A.No.1 of 2016 (WPMP.No.33089 of 2016) citing the case of one M.Krishna Kumar, Community Development Officer, GHMC, Hyderabad. He claims that M.Krishna Kumar was identically situated to him. He relied upon G.O.Rt.No.532, Municipal Administration & Urban Development (Vig.I(i)) Department, dated 23.07.2016, whereby the said M.Krishna Kumar, Community Development Officer, GHMC, was given the benefit of treatment of the period of his dismissal from 10.08.2004 to 09.07.2013 as on duty for all purposes.

In the light of this development, the petitioner-applicant sought an interim order to the authorities to release all his benefits by duly treating the period of his dismissal from 10.08.2004 to 09.07.2013 as on duty for

all purposes, on par with M.Krishna Kumar, Community Development Officer, GHMC.

As this new development in the form of G.O.Rt.No.532 dated 23.07.2016 was not within the zone of consideration at the time the Tribunal dismissed the O.A. filed by the petitioner-applicant, we are of the opinion that it would be appropriate for the respondent authorities to consider the claim of the petitioner-applicant that he is identically situated to M.Krishna Kumar, who was given benefit under G.O.Rt.No.532 dated 23.07.2016, and pass appropriate orders.

The writ petition and IA.No.1 of 2016 (WPMP.No.33089 of 2016) are accordingly disposed of directing the respondents to consider the claim of the petitioner-applicant afresh for regularisation of the period of his dismissal in the light of G.O.Rt.No.532 dated 23.07.2016 passed in favour of M.Krishna Kumar, Community Development Officer, GHMC, who, according to the petitioner-applicant, stands identically situated to him. This exercise shall be completed expeditiously and in any event, not later than eight weeks from the date of receipt of a copy of this order.

Other 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: 14.09.2018
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