

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

WRIT PETITION No. 42679 OF 2016

ORDER: *(Per Hon'ble Sri Justice Sanjay Kumar)*

The petitioner approached this Court by way of this writ petition with the following prayer:

“....to issue an appropriate a writ, order or direction more particularly one in the nature of Writ of Mandamus to call for the records relating to the proceedings Lr.No.46/E5/2013, dated 19-9-2013 and appointment orders of 4th respondent vide Lr.No.46/E5/2013, dated 19-9-2013 issued by the 3rd respondent by holding the same as illegal, arbitrary, unreasonable and violation of principles of natural justice apart from violation of Articles 14,16, 21 and 311(2) of the Constitution of India and set aside the same by directing the respondents to reinstate the petitioner as Multi Purpose Health Assistant (Female) with all consequential benefits such as seniority, promotion etc., in the interest of justice and to pass such other order or orders as the Hon'ble Court may deem fit and proper circumstances of the case.”

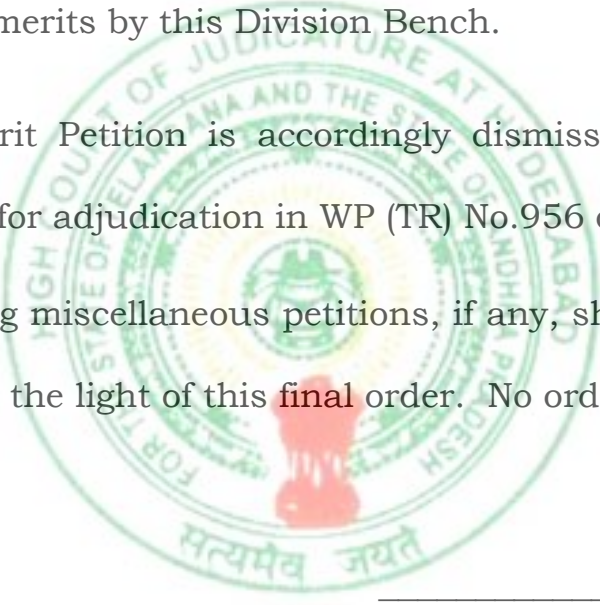
2. However, the affidavit filed in support of the writ petition discloses that the petitioner approached the Andhra Pradesh Administrative Tribunal, Hyderabad (for short 'the Tribunal') by way of O.A.No.6932 of 2013 with the very same prayer, but owing to the fact that the Tribunal was abolished in September, 2016, insofar as the State of Telangana is concerned, she came before this Court seeking relief.

3. We are now informed that O.A.No.6932 of 2013 on the file of the Tribunal has been transferred to file of this Court

and has been taken on record as WP (TR) No.956 of 2017. In the light of this development, it is not open to the petitioner to independently prosecute this writ petition. We take note of the fact that, by virtue of WP (TR) No.956 of 2017 being posted before a learned Single Judge of this Court, the petitioner or the authorities, as the case may be, would have the right of appeal before a Division Bench of this Court, which would not be the case in the event this writ petition is resolved on merits by this Division Bench.

4. The Writ Petition is accordingly dismissed leaving all issues open for adjudication in WP (TR) No.956 of 2017.

Pending miscellaneous petitions, if any, shall also stand dismissed in the light of this final order. No order as to costs.



SANJAY KUMAR, J

M.GANGA RAO, J

Date: 26.04.2018

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26th day of April, 2018

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