

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

WRIT PETITION NO.34379 OF 2018

ORDER: (per SK,J)

The petitioner is the applicant in O.A.No.12675 of 2009 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. His prayer is to implement the order dated 14.10.2011 passed therein which was confirmed by this Court in W.P.No.3139 of 2012 *vide* common order dated 22.11.2013.

Perusal of the record reflects that the petitioner filed O.A.No.12675 of 2009 impugning the proceedings dated 30.07.2009 of the Regional Director-cum-Appellate Commissioner of Municipal Administration, Hyderabad, and the consequential proceedings dated 15.12.2009 of the Commissioner and Director of Municipal administration, Hyderabad, whereby he was dismissed from service on account of alleged irregularities. By the order dated 14.10.2011, the Tribunal took note of the plea that the O.A. was squarely covered by the earlier order dated 11.08.2011 passed by it in O.A.No.592 of 2010 and batch and accordingly allowed the O.A.

The order dated 11.08.2011 passed in O.A.No.592 of 2010 and batch and the order dated 14.10.2011 passed in O.A.No.12675 of 2009 were subjected to challenge by the State and its municipal authorities before this Court in W.P.No.12703 of 2012 and batch. W.P.No.3139 of 2012, which formed part of this batch, arose out of the order passed in O.A.No.12675 of 2009. By order dated 22.11.2013, a Division Bench of this Court dismissed the writ petitions, thereby confirming the orders passed by the Tribunal. This Court only added a rider that the order would

not preclude the authorities from conducting a *de novo* enquiry and taking action in accordance with law.

Learned Government Pleader for Services, State of Telangana, would inform this Court that by virtue of this liberty, the issue as to whether a *de novo* enquiry requires to be initiated is still under process.

Be that as it may.

In any event, as we are informed that the order passed by the Tribunal in O.A.No.592 of 2010 which was confirmed in W.P.No.216 of 2012 which formed part of the very same batch has been implemented, there shall be a direction to the respondents to implement the order passed by the Tribunal in O.A.No.12675 of 2009, which was duly confirmed by this Court in W.P.No.3139 of 2012 *vide* common order dated 22.11.2013, within four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of with the above direction.

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:08.10.2018

PGS