

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.26155 of 2015

ORDER:

This writ petition is filed seeking a writ of mandamus, declaring the action of respondent No.3 in rejecting the cases of the petitioners for appointment in the existing vacancies of Staff Assistants, vide orders dated 10.03.2015 and 15.04.2015, in spite of earlier directions of this Court in W.P.Nos.34787/2014 and 2841/2015, dated 18.11.2014 and 23.02.2015 respectively, as illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India and contrary to the purport of Section 115-D of A.P.Cooperative Societies Act.

Heard Sri G.V.Shivaji, learned counsel for the petitioners, Smt.Bobba Vijayalakshmi, learned counsel for respondents Nos.3 & 4 and the learned Government Pleader for respondents Nos.1 & 2.

It has been contended by the petitioners that the post of Staff Assistant is liable to be filled up by way of direct recruitment as well as by way of in-service candidates. In-service candidates recruitment quota is limited to 25%. Pursuant to the notification issued by the 3rd respondent, the petitioners have applied for the post of Staff Assistant, but, however, they could not come up within the zone of consideration for selection of the said post. It has been further contended by the petitioners that some of the selected candidates by way of direct and in-service recruitment did not join and hence there were 8 such vacancies of Staff Assistants. The petitioners have submitted a representation to consider their candidature for those 8 vacancies. The respondents have considered the cases of the petitioners based on the opinion of the A.P.State Cooperative Bank and

rejected their cases, vide impugned orders dated 10.03.2015 and 15.04.2015.

A perusal of the impugned orders show that except stating that basing on the opinion of the A.P.Cooperative Bank, it is resolved to reject the cases of the petitioners, no other reasons are cited therein.

In view of the above, this Court feels that ends of justice would be met, if the writ petition is disposed of, directing the petitioners to make a representation afresh to respondent No.3 within a period of 2 (two) weeks from the date of receipt of a copy of this order, and on receipt of such representation, respondent No.3 shall consider the cases of the petitioners, in accordance with law, in the existing vacancies, which arose out of non-joining or resignation of the selected candidates, within a period of 8 (eight) weeks thereafter. However, this order does not preclude respondent No.3 to issue a fresh notification to fill up the existing vacancies for the post of Staff Assistants, and in such an event, an opportunity may be given to the petitioners to apply for the said posts.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

ABHINAND KUMAR SHAVILI,J

Date: 17.04.2018
Dsr