

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

WRIT PETITION NO.41121 OF 2018

ORDER: (per SK,J)

The prayer of the petitioner in this case reads as under:

'For the reasons stated in the accompanying Affidavit, in the interest of Justice, it is humbly prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Directions, more particularly one in the nature of Writ of Mandamus, by declaring the action of the Respondents/Respondents herein for not regularising the service of the Petitioner/Applicant for the period from 18.03.2002 to 12.01.2016 as illegal, arbitrary, discrimination, void, violative of the Article 14, 16 and 21 of the Constitution of India and consequently:

a) To direct the Respondents to regularise the service of the Petitioner/Applicant for the period from 18.03.2002 to 12.01.2016 with all consequential benefits and attendant benefits i.e., Fixation of Pay by granting the Annual Grade Increments, Pay Revisions, Seniority, Promotions and other fringe benefits, in pursuance to the G.O.Ms.No.1, Environment, Forests, Science and Technology (Sec.IV) Department, Dated 05.01.2016 and the consequential Proceedings No. 33535/2004/Admn-3, Dated 30.01.2016 of the Respondent No 2 herein;

b) To set aside the Memo No.678/For.IV/A1/2011, Dated 27.02.2017 issued by the Respondent No.1 herein;

c) To modify the directions in the Judgment Dated 13.11.2017 in O.A.No.1446 of 2016 held by the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad to the extent of the date that "18.03.2002 instead of 28.01.2011";

d) To award costs:

e) And pass such other Order or further Orders as this Hon'ble Tribunal may deem fit, proper and necessary in the circumstances of the case.'

It appears that the petitioner's representation dated 04.12.2017 in relation to this cause of action is pending consideration before the Principal Chief Conservator of Forests (HOFF), Andhra Pradesh.

In that view of the matter, as the authority concerned is yet to apply its mind to the grievances sought to be raised by the petitioner in the said representation, we see no grounds to entertain this writ petition at this stage.

The writ petition is disposed of directing the Principal Chief Conservator of Forests (HOFF), Andhra Pradesh, the second respondent, to consider the petitioner's representation dated 04.12.2017 on its own merits and pass appropriate orders thereon in accordance with law. This exercise shall be completed expeditiously and, in any event, not later than six weeks from the date of receipt of a copy of this order.

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

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SANJAY KUMAR,J

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M.GANGA RAO,J

Date:15.11.2018

GJ

