

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

WRIT PETITION NO.39790 OF 2016

O R D E R
(per SK,J)

This writ petition was filed by the applicants in O.A.No.4849 of 2012 on the file of the Andhra Pradesh Administrative Tribunal (for brevity, 'the Tribunal'), Hyderabad, seeking implementation of the order dated 28.06.2016 passed therein. By the said order, the Tribunal disposed of the O.A. directing the Government of Andhra Pradesh and the Engineer-in-Chief, Panchayat Raj & Engineering Department, Andhra Pradesh, to prepare year wise panels from the year 2001-02 to 2008 and on such preparation of panels, the Government of Andhra Pradesh and the Engineer-in-Chief, Rural Water Supply and Sanitation Department, Andhra Pradesh, were directed to review the promotions from the cadre of Deputy Executive Engineer to Executive Engineer upto 02.06.2014, the date of bifurcation, and on completion of such exercise, the State of Telangana and its officials in the Panchayat Raj & Engineering Department and the Rural Water Supply and Sanitation Department were directed to review the cases in respect of promotions as per the revised seniority of Graduate Deputy Executive Engineers duly taking into consideration the rule of reservation. This exercise was directed to be completed within a time frame. Alleging that the authorities had not undertaken preparation of year wise panels as directed by the Tribunal, the applicants in the O.A. filed this writ petition.

Notice before admission was ordered in this writ petition on 18.11.2016. On 31.01.2017, this Court passed the following order:

“In the light of the counter-affidavit filed by the State of Andhra Pradesh stating to the effect that the records relating to the petitioners have also been handed over under letter dated 27.08.2016, the preparation of year-wise panels from 2001-02 to 2008 and the bifurcation of employees basing on such panels, in terms of the directions of the Tribunal, can be undertaken by the officials of the State of Telangana themselves.

We therefore permit the State of Telangana to undertake this exercise as directed in para 11 of the order passed by the Tribunal, though the said directions were given to the officials of the State of Andhra Pradesh.

Post on 14.03.2017.”

Be it noted that the aforestated order was passed in the presence of Sri S.Gopal Rao, learned counsel for the petitioners, the learned Government Pleader for Services, State of Andhra Pradesh, and the learned Government Pleader for Services, State of Telangana.

It is now stated before us that pursuant to the aforestated liberty granted by this Court, the State of Telangana has completed the exercise. Sri S.Gopal Rao, learned counsel, does not dispute this fact. He however has grievance with regard to the result of the said exercise in so far as the petitioners-applicants are concerned.

If that is so, the same would give rise to a fresh cause of action and we are not inclined to accept the request of the learned counsel that the State of Andhra Pradesh should be asked to participate afresh in the exercise, despite the order dated 31.01.2017.

The writ petition is accordingly closed taking note of the fact that the order dated 28.06.2016 passed by the Tribunal in O.A.No.4849 of 2012 has been duly complied with. In the event the petitioners-applicants have any grievance with the result of such compliance, it is for them to take steps independently for redressal thereof in accordance with law.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR,J

M.GANGA RAO,J

Date:01.10.2018
PGS

