

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

WRIT PETITION NO.41008 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, that the Hon'ble Court may be pleased to issue a writ, order or direction more in the nature of Writ of certiorari calling for the records pertaining to the orders of the Hon'ble AP Administrative Tribunal dated 11.4.2017 in OA. No.2436 of 2013 decided along with OA No.3323 of 2013 and batch and the consequential orders of reversion issued in Proceedings Rc.No. E1/1589/2018 dated 26.10.2018 of the 8th Respondent as erroneous and contrary to law and set aside the same and consequently direct the Respondents to continue the Petitioner as Superintendent till final adjudication is made regarding the validity of repatriation orders made to RWS & S Department from the Panchayat Raj Engineering Department and pass such other orders or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.'

Learned Government Pleader for Services, State of Andhra Pradesh, would point out that the impugned proceedings dated 26.10.2018 passed by the Superintending Engineer, RWS & S, Visakhapatnam, have not been subjected to challenge before the Andhra Pradesh Administrative Tribunal, Hyderabad, and therefore, the same could not be challenged before this Court directly.

Perusal of the said proceedings dated 26.10.2018 would demonstrate that though the judgment in O.A.No.3323 of 2013 and batch was mentioned in the reference portion, no mention was made of it in the body of the order.

We therefore find merit in the submission of the learned Government Pleader.

However, at this stage, Sri K.G.Krishna Murthy, learned senior counsel appearing for Sri P.Ramboopal Reddy, learned counsel for the petitioner, would state that the petitioner may be permitted to withdraw the writ petition reserving liberty to him to approach this Court only against the order of the Tribunal in O.A.No.2436 of 2013 which was decided along with O.A.No.3323 of 2013 and batch and separately challenge the proceedings dated 26.10.2018 of the Superintending Engineer, RWS & S, Visakhapatnam, before the Tribunal.

Accepting this plea of the learned senior counsel, the writ petition is dismissed with the liberty aforestated.

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

Date:20.11.2018

GJ



SANJAY KUMAR,J

M.GANGA RAO,J