

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

WRIT PETITION No.41327 OF 2018

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

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

“For the reasons stated in the accompanying affidavit filed in support of the Writ Petition, it is prayed that this Hon'ble Court may be pleased to issue Writ, order or direction preferably one in the nature of Writ of Certiorari calling for the records and set aside the order dated 31/12/2015 passed in O.A.No.7281 of 2015 by the Hon'ble AP Administrative Tribunal and consequently allow the said OA by setting aside the F.No.29/61/2015-SR(S) Order No.26(2)/2015, dated 30/11/2015 in so far as it concerns the Writ Petitioner and pass such other or further orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

The petitioner was unsuccessful before the Andhra Pradesh Administrative Tribunal, Hyderabad, when O.A.No.7281 of 2015 filed by him in relation to his allocation to the State of Andhra Pradesh, despite his option to be retained in the State of Telangana, was dismissed by order dated 31.12.2015. However, in the light of the fact that a vacancy has arisen in the post of Record Assistant in the office of the Advocate General, State of Telangana, due to retirement of the incumbent, A.Balaiah, the petitioner made representation dated 28.10.2018 to the Chief Secretaries as well as the Law Secretaries of both the State Governments bringing to their notice the said fact and requesting them to accommodate him in the said vacancy of Record Assistant available in the office of the Advocate General, State of Telangana.

As it is an admitted fact that the aforestated representation of the petitioner is still pending consideration, we see no grounds to entertain this writ petition and adjudicate the same on merits. It would suffice at

this stage if the said representation is considered by both the State Governments on its own merits and in accordance with law.

The writ petition is accordingly disposed of directing the respondents to consider the petitioner's representation dated 28.10.2018, whereby he sought to be accommodated in the existing vacancy of Record Assistant in the office of the Advocate General, State of Telangana. Reasoned orders shall be passed by both the State Governments upon the said representation and communicated to the petitioner. This exercise shall be completed expeditiously and in any event, not later than four 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.



SANJAY KUMAR,J

M. GANGA RAO, J

Date: 16.11.2018  
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