

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. Nos. 44948 and 45176 of 2017

COMMON ORDER:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

Inasmuch the question of fact and law involved in the two writ petitions is one and the same, these matters are taken up together for disposal by this Common Order.

While W.P.No. 44948 of 2017 is filed against the Common Order dated 21.09.2017 passed in O.A.No.2598 of 2017, W.P.No. 45176 of 2017 is filed challenging the same order passed in O.A.No. 2597 of 2017, whereby the Andhra Pradesh Administrative Tribunal, Hyderabad dismissed the Original Applications.

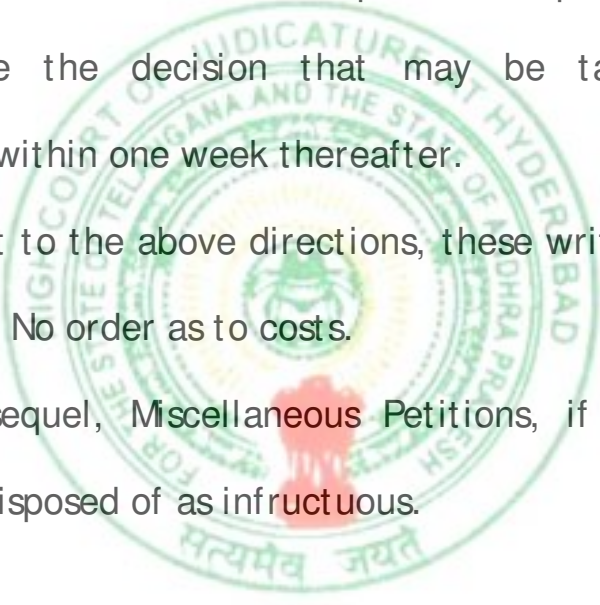
It is averred in the writ affidavits that the Tribunal ought to have summoned records pertaining to the transferring counseling held between 27.07.2017 and 07.08.2017 which enable the Tribunal to find the reality, thereby the petitioners could have been accommodated in Category-I or Category-II, if all the vacancies had been displayed on the date of counseling held on 27.07.2017 and the petitioners could have given their choice in the existing vacancies, but subsequently, without displaying the vacancies, chance was given to 17 persons on 17.08.2017. Hence, the writ petitions are filed seeking to declare the action of the

respondents as illegal and consequently direct respondent Nos.1 and 2 to follow the Rules by calling fresh counseling while giving chance to the petitioners, who are seniors.

After hearing some arguments, we hereby direct the petitioners to make a representation to the respondents by giving their choice for remaining vacancies. On such representation being filed, the respondents shall consider the same and pass appropriate orders thereon, within a period of two weeks from the date of receipt of the representation and communicate the decision that may be taken, to the petitioners, within one week thereafter.

Subject to the above directions, these writ petitions are disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.


SURESH KUMAR KAIT, J

23.01.2018

ABHINAND KUMAR SHAVILI, J

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