

HIGH COURT FOR THE STATE OF TELANGANA

**THE HON'BLE THE ACTING CHIEF JUSTICE
RAGHVENDRA SINGH CHAUHAN**

AND

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.A.No.286 of 2019

Date: 09.04.2019

Between:

The Telangana State Public Service Commission,
Represented by its Secretary, Nampally,
Hyderabad.

...Appellant

and

G. Vijay Kumar, S/o. G. Ramalingaiah,
Hayathnagar, Ranga Reddy District, and others.

...Respondents

**Counsel for the appellant : Mr.B.S. Prasad,
Advocate General**

Counsel for the respondents: Mr. S. Rahul Reddy

The Court made the following:

JUDGMENT: *(per the Hon'ble the Acting Chief Justice Raghvendra Singh Chauhan)*

The Telangana State Public Service Commission, the appellant, has challenged the legality of the order dated 14.02.2019, passed by a learned Single Judge in W.P.No.836 of 2019.

The learned Advocate General, Mr. B.S. Prasad, submits that a series of writ petitions were filed challenging the publication of the combined selection list for the posts of Librarians in Degree Colleges and Junior Colleges. While deciding all the writ petitions through a common order namely order dated 14.02.2019, even the present writ petition was decided. However, before deciding the present writ petition, no opportunity was given to the appellant to file its counter-affidavit. Therefore, the position of the appellant could not be stated before the learned Single Judge. Moreover, since the issue that has been raised in the present writ petition is slightly different from the issues, which were raised in other writ petitions, it is imperative for the appellant to clarify its position on the legal issues raised by the respondents-petitioners. Therefore, the learned Advocate General pleads that the order dated 14.02.2019 passed by the learned Single Judge should be set aside, and the matter should be remanded to the learned Single Judge for giving an opportunity to the appellant to file its counter-affidavit, and to clarify its position.

The fact that the appellant could not file its counter-affidavit has not been challenged by the learned counsel for the respondents-petitioners. However, the learned counsel for the respondents-petitioners pleads that even the writ petition filed by the respondents-petitioners should be decided as expeditiously as possible, and prior to the commencement of the Summer Vacation.

Therefore, this Court sets aside the impugned order dated 14.02.2019 in W.P.No.836 of 2019, and remands the case to the learned Single Judge. The learned Single Judge is requested to give an opportunity to the appellant to file its counter-affidavit. The learned Single Judge is further requested to decide the writ petition prior to 30.04.2019.

With these directions, the writ appeal stands disposed of.

As a sequel, Miscellaneous Petitions, pending if any, shall stand closed. There shall be no order as to costs.

(RAGHVENDRA SINGH CHAUHAN, ACJ)

(A.RAJASHEKER REDDY, J)

Date: 09.04.2019
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