

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.(TR).No.4572 of 2017

ORDER:

The instant writ petition is transferred from Administrative Tribunal and the same is numbered as WP(TR).No.4572 of 2017.

This writ petition is filed seeking the following relief:

“.....to call for records relating to and connected with the impugned orders passed by the 3rd respondent vide order No.D.O.No.115/2015, No.224/A2/HGS-Hyd/2015 dated 11.05.2015 on the file of the Commandant Home Guards Organization without conducting the enquiry and without following the rules is illegal, arbitrary and also against the principles of natural justice and set aside the same and consequently direct the respondent to reinstate the applicant into service forthwith with all consequential benefits and pass such other order or orders....”

Heard learned counsel for petitioner and learned Government Pleader for Home (Services).

Learned counsel for both the parties are in agreement that the issue in the instant writ petition is squarely covered by the common order passed by this Court in W.P.(TR).No.4627 of 2017 and batch, dated 08-03-2019.

In view of the same, for the reasons alike in the said common order, the impugned order is set aside and

accordingly, the writ petition is allowed directing the respondents to reinstate the petitioner as Home Guard subject to his physical fitness. However, the petitioner is not entitled to any benefit of continuity of service, seniority and arrears of pay by virtue of the orders passed by this Court in WP No.35460 of 2013 and batch, dated 08-06-2018. There shall be no order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

20-03-2019
Nvl

