

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.20074 OF 2019

Date: 19.09.2019

Between:

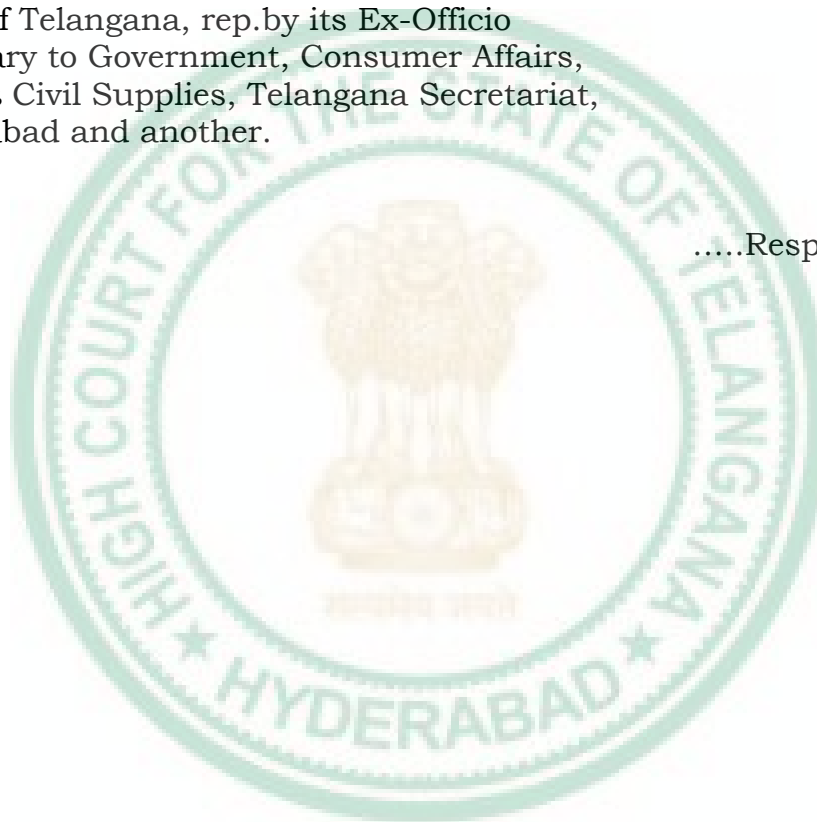
S.Uday Kumar, s/o. late S.Gangaram,
Aged 58 years, occu: District Supply Officer (Retd)
O/o District Supply Officer, Nalgonda,
r/o. H.No.11-1-972/1, New NGOs Colony,
Nizamabad district.

.....Petitioner

and

State of Telangana, rep.by its Ex-Officio
Secretary to Government, Consumer Affairs,
Food & Civil Supplies, Telangana Secretariat,
Hyderabad and another.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Heard Sri P.V.Krishnaiah, learned counsel for petitioner and learned Government Pleader for respondents.

2. Petitioner is challenging the decision of the Government in G.O.Rt.No.2 Consumer Affairs, Food & Civil Supplies (CS.I-CCS) Department, dated 03.01.2019, rejecting the request of petitioner to regularize the gap period from 19.11.2013 to 08.05.2014 as compulsory wait.

3. According to the material on record, while petitioner was working in Nizamabad, he was asked to report to the Commissioner of Civil Supplies for further posting and in his place, Smt. P.Laxmi Bhavani was posted. Smt. P.Laxmi Bhavani reported to duty on 18.11.2013 and consequently petitioner was relieved on the afternoon of 19.11.2013 with direction to report before the Commissioner of Civil Supplies. Petitioner did not report before the Commissioner till 09.05.2014. He was given posting orders on 02.12.2014. The period from 09.05.2014 to 02.12.2014 was treated as compulsory wait. Petitioner has been requesting to treat the period from 19.11.2013 to 08.05.2014 also as compulsory wait. The said request of the petitioner was rejected for the first time on 02.07.2015, and again it was rejected on 21.09.2015. The impugned order rejecting the request of petitioner is in continuation to the earlier rejection orders. Though the said order is not clear, it cannot be looked in isolation. Further, as stated by the learned Government Pleader, even after the Memo dated

22.03.2019, petitioner went on making representations/filing review petition to treat the period as compulsory wait and on 11.07.2019 request of the petitioner was rejected affirming the earlier stand.

4. As apparently petitioner did not report to duty as directed, he cannot say that he was not given posting orders. The issue of posting orders would arise only after he would report in the Office of the Commissioner. Apparently, petitioner did not report to duty till 08.05.2014. Therefore, petitioner cannot ask to treat the period from 19.11.2013 to 08.05.2014 as compulsory wait. The question of treating the period as compulsory wait would arise only when an employee reports to duty, but was not given posting orders and was made to wait for appropriate posting orders. I do not see any error in the decision arrived at by the authority consistently, warranting interference by this Court. Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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kkm

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