

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.21253 OF 2019

ORDER:

Heard learned counsel for the petitioner and Sri P. Prabhakar Rao, learned standing counsel for the Telangana State Forest Development Corporation Limited.

2. Petitioner was appointed as Junior Assistant on 21.06.2012 under compassionate appointment scheme due to death of his father on 20.02.2011. He was appointed as Junior Assistant though he did not have the requisite qualification, which is the specific condition of acquiring requisite qualification. The appointment granted to the petitioner was temporary and subject to acquiring the requisite qualification. Having noticed that petitioner did not produce material to show that he acquired requisite qualification, he was asked to produce the eligibility criteria. As the petitioner did not acquire the requisite qualification within the time granted to him, he was discharged from service w.e.f. 30.06.2017. However, on 06.06.2017, petitioner informed that he had completed B.Tech. Degree course and is awaiting the marks list and degree certificate after completion of convocation at JNTU, Hyderabad, and requested one year time to submit the same. Though petitioner sought only one year time, the appointing authority was magnanimous in granting two years. Before expiry of two years time, petitioner produced Bachelor of Arts from Dr.C.V. Raman University, Chattisgarh and the appointing authority was surprised by this certificate.

3. According to the appointing authority, earlier petitioner disclosed that he was prosecuting B.Tech., course; written the final year examinations; awaiting the marks list and degree certificate, but later he changed his version and stated that he could not complete B.Tech., course and therefore he joined in Bachelor of Arts course through distance mode and obtained certificate.

4. A reading of the order would show that no sufficient material was shown to the appointing authority as to how the petitioner prosecuted the degree course in a distance mode. Since the appointing authority doubted the genuineness of the subsequent degree and on the ground that petitioner made a false statement earlier, his appointment was terminated by the order of termination, impugned in this writ petition.

5. From a reading of the order, as noted above, the appointing authority has considered all aspects and having found that the claim of the petitioner was not genuine and that he misrepresented on earlier occasion and not produced sufficient material of securing the degree certificate, the conditional appointment earlier granted was cancelled. Therefore, I do not see any illegality in the decision made by the appointing authority warranting interference by this Court.

6. The Writ Petition is accordingly dismissed. However, it is open to the petitioner to make an application to the appointing authority requesting it to appoint him to the lower post and on making such an application, it is open to the appointing

authority to consider the said request. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

Date:26.09.2019

Note:- Issue C.C. in one week.
(B/o)
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