

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No.34596 of 2018**

**ORDER :**

This writ petition is filed seeking Writ of Mandamus to declare inaction of the respondents in issuing orders to open a duplicate Service Register in respect of the petitioner for settlement of the service benefits as illegal, arbitrary and in violation of the principles of natural justice, and consequently sought a direction to the respondents to pay the service benefits to the petitioner as per the order dated 02.05.2017 in Rc.No.2169/E1/HC/2017 passed by respondent No.3.

The petitioner is working as School Assistant in Government Boys High School, Darul-Uloom, Gulzar House, Bahadurpura, Hyderabad. While the petitioner was discharging the duties as School Assistant, he was placed under suspension on the ground of unauthorised absence vide proceedings dated 24.07.2008 issued by respondent No.3. Subsequently, the respondents have revoked the said suspension orders and reinstated the petitioner into service vide proceedings dated 29.08.2009. The grievance of the petitioner is that when the respondents were not regularising the said suspension period from 24.07.2008 to 28.08.2009, he has submitted representations on 04.04.2012 and 27.07.2016 requesting the respondents to regularise the said suspension period. Finally, the respondents have regularised the said suspension period

vide proceedings dated 02.05.2017 issued by respondent No.3. However, the respondents have not extended the benefits of the said regularisation of the suspension period on the ground that the Service Register of the petitioner was misplaced and respondent No.3 has issued proceedings dated 25.04.2018 requesting the Deputy Educational Officer, Nampally, Hyderabad, to submit the service particulars of the petitioner so as to constitute a duplicate Service Register of the petitioner. In spite of the same, no action is being taken to open a duplicate Service Register of the petitioner. Hence the present writ petition.

Heard Sri Ganeswara Rao, learned counsel for the petitioner and the learned Government Pleader for Services-I.

Learned counsel for the petitioner contends that since the 3<sup>rd</sup> respondent has issued proceedings to constitute a duplicate Service Register of the petitioner, appropriate orders be passed in the writ petition directing the respondents to open a duplicate Service Register of the petitioner and also grant the petitioner all consequential benefits of regularisation of the said suspension period from 24.07.2008 to 28.08.2009.

The learned Government Pleader for Services submitted that the respondents would open a duplicate Service Register of the petitioner upon receiving necessary information with regard to the service particulars of the petitioner in pursuance of the proceedings dated 25.04.2018 issued by respondent No.3, and

appropriate orders would be passed. The learned Government Pleader further contends that the petitioner also may be directed to cooperate with the respondents in furnishing his service particulars to enable the respondents to open a duplicate Service Register of the petitioner.

This Court, having considered the rival submissions of the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to open a duplicate Service Register of the petitioner and extend all consequential benefits on regularisation of the suspension period from 24.07.2008 to 28.08.2009, to which the petitioner is entitled to in pursuance of the order dated 02.05.2017 in Rc.No.2169/E1/HC/2017 issued by respondent No.3, and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order. It is needless to say that the petitioner shall cooperate with the respondents in furnishing his service particulars.

With the above observations, the writ petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

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JUSTICE ABHINAND KUMAR SHAVILI

06.02.2019.  
Msr

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