

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.38222 of 2018

ORDER:

This writ petition is filed seeking the following relief:

“.....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the orders of the 4th respondent in removing the petitioner from Home guard service vide orders DO.No.10/2014 (No.197/A2/HGS.Hyd/2014), dated 03-06-2014 on the ground of unauthorized absence and without conducting enquiry and without following the rules and principles of Natural Justice as illegal, arbitrary and unconstitutional, violation of principles of natural justice and contrary to the rules and set aside the orders passed by the 4th respondent vide Orders DO.No.10/2014 (No.197/A2/HGs.Hyd/2014), dated 03-06-2014 by further directing the respondents to reinstate the petitioner into service with all consequential benefits and pass such other order as this Hon'ble Tribunal may deem fit and proper in the circumstance of the case.”

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

