

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

Writ Petition No.48117 OF 2018

ORDER:

1 This Writ Petition is filed challenging the appeal rejection order dated 08.07.2018 wherein the petitioner has preferred an appeal against the orders passed by the authority.

2 The petitioner contends that he is working as School Assistant (Physical Science) at ZPHS, Urkondapet, Urkondapet Mandal, Mahabubnagar District. In the transfer counselling he has exercised option for various places. The grievance of the petitioner is that though one vacancy of School Assistant (Maths) is available at UPS, Mallapur, Kothur Mandal, Mahabubnagar District, the respondent authorities have not shown the above place in the web counselling, thereby the petitioner has lost opportunity to opt his choice of place.

3 The learned counsel for the petitioner submitted that though the petitioner was transferred to one of the opted places, the grievance of the petitioner is that the petitioner has exercised option to nearly 300 posts and his case was not considered for transfer counselling as per the points allotted to him, therefore, contends that the case of the petitioner can be considered for transfer in the existing vacancy at UPS, Mallapur, Kothru Mandal, Mahabubnagar District with all consequential benefits.

4 The learned Government Pleader for Services I contends that the case of the petitioner cannot be considered in the existing vacancy as they have to be notified in the transfer counselling and those vacancies will be filled up as per the transfer counselling.

Since the case of the petitioner cannot be considered for a transfer in the middle of the academic year, the appellate authority has rightly rejected the case of the petitioner with cogent reasons and there are no merits in this Writ Petition and hence the Writ Petition is liable to be dismissed.

5 This Court, having considered the rival contentions made by the learned counsel for the parties, is of the considered view that the appellate authority has rightly rejected the case of the petitioner. The case of the petitioner can be considered for transfer in the ensuing counselling during the current academic year, if the petitioner is otherwise found suitable and eligible for such transfer. For the present, this court is not inclined to interfere with the order passed by the appellate authority.

6 Accordingly this Writ Petition is dismissed. No order as to costs. As a sequel, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dt: 02.01.2019

Kvsn