

HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)
FRIDAY, THE EIGHTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY
PRESENT

THE HONOURABLE SRI JUSTICE P NAVEEN RAO
I.A NO. 1 OF 2020

AND
WRIT PETITION NO: 2270 OF 2019

Between:

Smt. Bommena Sunitha, W/o. Late Srinivas, Aged about 34 Years, Occ. Housewife, R/o. H.No.1-1/87, Katkenapally Village, Dharmaram Mandal, Peddapally District.

...PETITIONER(S)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Forest Department, Secretariat, Hyderabad
2. The Divisional Forest Officer, Karimnagar West, Karimnagar District
3. The District Collector, Karimnagar District, Karimnagar.
4. The District Forest Officer, Karimnagar District
5. Bommena Eswar, S/o Late Srinivas, Aged about 18 years (Date of Birth being 12 -5 -2002), R/o H.No. 8 - 1- 273/1 , Katta Rampur , Karimnagar, Karimnagar District.

(R5 is impleaded as per court order dt. 29.07.2019 in IA No. 2 of 2019.)

(R-5 is declared as Major as per Court Order, dated 18.09.2020 in I.A.No.3 of 2020.)

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an order or orders one in the nature of WRIT OF MANDAMUS declaring the action of the Respondent No.3 and 4 for not passing any orders on Petitioners appointment on the compassionate grounds in place of her deceased husband inspite of representation dated 13.12.2018, 25.04.2018 as well as 09.02.2016 in the office Respondent no.3 and 4 is illegal and arbitrary against the principal of natural justice.

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent no.3 and 4 to consider the representation dated 13.12.2018 and 25.04.2018 along with 09.02.2016 for compassionate appointment in place of the Petitioners deceased husband, pending disposal of the above writ petition.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to recall the order dated 02/09/2020 in W.P. No. 2270 of 2019 and re-hear the matter in the interests of justice

IA NO: 2 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the operation of order in W.P. No. 2270 of 2019 Dt. 02/09/2020 in the interests of justice

Counsel for the Petitioner: SRI. K BUCHI BABU

Counsel for the Respondent Nos. 1 to 4: GP FOR FORESTS

**Counsel for the Respondent No.5: SRI SATYAM REDDY FOR SRI
M. KIRAN REDDY**

The Court made the following: ORDER

HONOURABLE SRI JUSTICE P.NAVEEN RAO

I.A.NO.1 OF 2020

AND

WRIT PETITION No.2270 OF 2020

COMMON ORDER:

I.A.No.1 of 2020 is filed by the 5th respondent in the writ petition contending that when the writ petition was disposed of on 02.09.2020, the name of counsel representing the 5th respondent was not reflected in the cause list printed for the day and the 5th respondent was not aware of listing of writ petition. Whereas, grandmother of the 5th respondent applied on 20.12.2018 and after attaining majority, the 5th respondent also applied for provision of employment on compassionate grounds due to death of his father and therefore opposing the claim of petitioner, who is his mother.

02. Along with I.A. the cause list for the day for the Court No.15 is filed at Page No.12. Item No.32 is the present writ petition. It is seen from the cause list, the name of counsel on record is not printed for the respondents.

03. The writ petition is disposed of on 02.09.2020. The operative portion reads as under:-

"3. Petitioner claims to have submitted representations on 09.02.2016, 25.04.2018, and 13.12.2018. Copies of said representations are filed as exhibits to the writ petition paper book.

4. With consent of both counsel, the writ petition is disposed of, without expressing any opinion on merits, directing the Divisional Forest Officer, Karimnagar West, Karimnagar to consider the representation of petitioner submitted on 25.04.2018 duly taking note of the Government Order in G.O.Ms.No.593, dated 21.10.2011 and to pass orders as expeditiously as possible,

preferably within a period of six weeks from the date of receipt of copy of this order."

04. Though the order of this Court only directed consideration of representations submitted by the petitioner in the writ petition, having regard to the fact that the counsel did not have the advantage of making submissions on behalf of the 5th respondent, the said order is recalled and accordingly, I.A.No.1 of 2020 is allowed.

05. With the consent of all learned counsel, without expressing any opinion on merits, the Writ Petition is disposed of as under:-

i) Petitioner in the writ petition claims to have submitted representations on 09.02.2016, 25.04.2018, and 13.12.2018. Copies of said representations are filed as exhibits to the writ petition paper book.

ii) In continuation to the representation filed by his grandmother on 20.12.2018 requesting the authorities to provide appointment on compassionate grounds to 5th respondent in the writ petition, 5th respondent is also granted liberty to make representation within one week from the date of receipt of the copy of order.

iii) The Divisional Forest Officer, Karimnagar West, Karimnagar is directed to consider the representation of petitioner submitted on 25.04.2018 duly taking note of the Government Order in G.O.Ms.No.593, General Administration (Ser-C) Department, dated 21.10.2011 and the representation submitted by the grandmother of 5th respondent on 20.12.2018 and any fresh

representation that may be submitted by the 5th respondent, duly consider both claims and pass orders assigning reasons in support of the decision as expeditiously as possible, preferably within a period of six weeks from the date of receipt of copy of this order. Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR
Ch. Ch.
SECTION OFFICER

To,

1. The Principal Secretary, Forest Department, State of Telangana, Secretariat, Hyderabad
2. The Divisional Forest Officer, Karimnagar West, Karimnagar District
3. The District Collector, Karimnagar District, Karimnagar.
4. The District Forest Officer, Karimnagar District
5. One CC to SRI. K BUCHI BABU Advocate [OPUC]
6. One CC to SRI. M. KIRAN REDDY, Advocate [OPUC]
7. Two CCs to GP FOR FORESTS (TG) ,High Court for the State of Telangana. [OUT]
8. Two CD Copies

AVS

V. J.

HIGH COURT

DATED:18/09/2020



ORDER

I.A NO. 1 OF 2020
AND
WP.No.2270 of 2019

DISPOSING OF THE WP
WITHOUT COSTS

(10) VLV
28/9/20