

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**FRIDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
THE HONOURABLE SRI JUSTICE K. SARATH**

WRIT PETITION NO: 3347 OF 2011

Between:

1. The Government of Andhra Pradesh,, Rep.by its Secretary, Medical Health & Family Welfare Department, AP., Secretariat, Hyderabad-500 022
2. The Director of Public Health & Family Welfare,, Andhra Pradesh, Hyderabad-500001
3. The State Health Transport officer, S.R.Nagar, Hyderabad. -500073

...PETITIONER(S)

AND

1. Mohd. Akhtar Hussain, S/o late Mohd. Saidq Hussaia Retired as Service Engineer R/o H.No.16-11-16/P/Q/8 Saleemnagar Colony, Malakpet Hyderabad-500036
2. The Hon'ble Andhra Pradesh Administrative Tribunal, Rep. by its Registrar, Purani Haveli, Hyderabad.

...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 issue appropriate writ order or direction more particularly one in the nature of writ of Certiorari and call for records relating to an connected with order of the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad dt. 18-8-2010 rendered in OA.No.11750 of 2009 and quash or set aside the same

I.A. NO: 1 OF 2011(WPMP. NO: 4148 OF 2011)

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

suspend the order dt. 18-8-2010 rendered in OA.No.11750 of 2009 by the Hon'ble Andhra Pradesh Administration Tribunal, Hyderabad pending disposal of the WP And pass

I.A. NO: 1 OF 2012(WVMP. NO: 189 OF 2012)

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 vacate the stay granted in WPMP No. 4148 of 2011 in WP No. 3347 of 2011, dt. 21-2-2011

Counsel for the Petitioner:SRI. GP FOR SERVICES I

Counsel for the Respondents: V SESA KUMARI

Counsel for the Respondents: 11378/V SESA KUMARI

The Court made the following: ORDER

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
HONOURABLE SRI JUSTICE K.SARATH

WRIT PETITION No.3347 of 2011

Order: *(Per Hon'ble Sri Justice Abhinand Kumar Shavili)*

This writ petition is filed seeking 'Writ of Certiorari' calling for the records relating to the order of the Andhra Pradesh Administrative Tribunal, Hyderabad dated 18.08.2010 in OA No 11750 of 2009 and quash or set aside the same.

2. Heard Government Pleader for Services-I appearing for the petitioners and Smt. V.Sesha Kumari appearing for respondent No.1.

3. It has been contended by Government Pleader for Services-I that the respondent No.1 is a retired Engineer and after his retirement, he has filed O.A No. 11750 of 2009 seeking direction to pay the difference amount by extending the same in the pay scale and the Tribunal vide orders dated

18.08.2010 was pleased to allow the said O.A No. 11750 of 2009 by following its earlier orders in O.A.No. 3820 of 2005 dated 29.03.2005 without appreciating any of the contentions raised by the petitioners herein. Therefore, appropriate orders will be passed in the writ petition by setting aside the orders passed by the Tribunal in O.A.No. 11750 of 2009 dated 18.08.2010 and allow the writ petition.

4. This Court having considered the rival submission made by the parties is of the considered view that the Tribunal has followed the earlier order passed in O.A.No. 3820 of 2005 dated 29.03.2005 and allowed the OA preferred by the respondent herein. Therefore, when the issue is squarely covered by the earlier orders passed by the Tribunal, the Tribunal was justified in allowing the O.A.No. 11750 of 2009 dated 18.08.2010 preferred by the respondent No.1. Therefore, this Court is not inclined to interfere with the orders passed by the Tribunal.

5. Accordingly, the writ petition is dismissed. No costs. It is needless to say that the petitioners herein have to consider the case of the respondent No.1 and the petitioners are at liberty to pass a speaking order in accordance with law.

6. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No cost.

//TRUE COPY//

SD/-B.CHANDRA PRAKASH
ASSISTANT REGISTRAR
GP
SECTION OFFICER

To,

1. Mohd. Akhtar Hussain, S/o late Mohd. Saidq Hussaia Retired as Service Engineer R/o H.No. 16-11-16/P/C/8 Saleemnagar Colony, Malakpet Hyderabad-500036
2. The Hon'ble Andhra Pradesh Administrative Tribunal, Rep. by its Registrar, Purani Haveli, Hyderabad.
3. One CC to SRI. GP FOR SERVICES I Advocate [OPUC]
4. One CC to SRI. V SETHA KUMARI Advocate [OPUC]
5. One CC to SRI. 11378/V SETHA KUMARI Advocate [OPUC]
6. Two CD Copies
7. One Spare Copy

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HIGH COURT

DATED:23/09/2022

ORDER

WP.No.3347 of 2011



DISMISSING OF THE WRIT PETITION
WITHOUT COSTS

(8)
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