

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.W.A.No.267 of 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
	.06.2023	<u>DVSS, J & SV,J</u> <u>I.A.No.2 of 2023</u> This Court has heard learned Government Pleader for School Education and Sri K.G.Krishna Murthy, learned senior counsel for Sri K.Rama Mohan, learned counsel for the respondents. Learned Government Pleader argued the matter at length and points out that vital issues raised in the counter affidavit about the permission sought etc., were not considered by the learned single Judge. He also brought to the notice of this Court the Rules, which are provided for in G.O.Ms.No.1 dated 01.01.1994 which mandate that the presence of the District Education Officer's nominee is compulsory. It is also pointed out that all the appointments are subject to the approval of the competent authority and that even minority institutions should follow the stipulations. In reply to this, learned counsel for the respondents points out that Educational	

		Institutions sought the permission of the District Educational Officer for nominating a member as the nominee and as he did not attend; the school went ahead with the proposed selections. It is also pointed out that clause 12(5) of G.O.Ms.No.1 states that the selection shall not be vitiated only on the ground of absence of the District Educational Officer nominee. It is pointed out that the order passed is a reasoned order after considering all the submissions. After perusing the contents of the affidavits, counter and documents, this Court notices that the important issue raised by the respondents is about the letter dated 24.05.2003 by which it is stated that permission was sought from the District Educational Officer for constituting a staff selection committee. In the counter affidavit filed, it is mentioned that this document of 24.05.2003 was only received in June, 2004. The same is also borne out by the letter dated 15.11.2016. This is a matter which in the opinion of this Court requires further study and investigation. Even the delay in the submission of the proposal by the school as highlighted in the counter is a factor which needs to be considered with greater depth. Lastly, the interpretation of clause 13 (5) in particular G.O.Ms.No.1 which states that the quorum	
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		of the staff selection committee shall be four (4), of which the presence of the nominee of the District Education Officer is compulsory should be reconciled with Clause 12 (5). For all these reasons, there shall be an interim suspension as prayed for. _____ DVSS,J _____ SV,J <u>W.A.No.267 of 2023</u> List the writ petition in its usual course. _____ DVSS,J _____ SV,J KLP	
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