HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY SECOND DAY OF MARCH

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 7144 OF 2024

Between:

Sri A. Bapu Rao, S/o. Ausaji

...Petitioner

AND

1. State of Telangana, Rep. by its Principal Secretary, School Education Department, Secretariat, Buildings, Hyderabad.
2. The Director of Adult Education, Telangana State, Saifabad, Hyderabad.
3. The District Collector, Nizamabad.
4. Dr.G.Usha Rani, M.Sc.M.Ed., Ph.D, Director of Adult Education, 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 any appropriate Writ, Order or direction more in the nature of Writ of Mandamus. (a)To direct the Respondents herein to treat the period from 24-8-2022 and 26-2-2024 as on duty and to pay the arrears of salary to the petitioner with interest at the rate of 24percent per annum by passing appropriate orders to that effect by holding the action of the Respondent No.2 is totally unjustified and illegal. (b)To direct the Respondents herein to process application of the petitioner for granting all retiral benefits such as pension, gratuity etc., since he is going to retire from service on 30-4-2024 on attaining the age of superannuation. (c)To declare the Proceedings Rc.No.1030/A/DAE/TS/2002 dated 11-3-2024 issued by the Respondent No.2 herein who is made as party Respondent No.4 calling for explanation from the petitioner alleging that he was unauthorizedly absent for duties for the period 24-08-2022 to 26-02-2024 even though Reversion order issued by the Respondent No.2 was suspended in WP No. 34484 of 2022 filed by the petitioner by order dated 2-9-2022 which was extended from time to till the said Writ Petition was allowed by order dated 7-6-2023 and even after the petitioner made representations from time to time for seeking his continuation as Deputy Director of Adult Education, at Nizamabad pursuant to the orders passed by this Hon ble Court in the above aid Writ Petition is nothing but arbitrary, illegal, violative of Article 14 of Constitution of India and violation of service law apart from contrary to the interim orders as well as final order passed by the Hon'ble High Court in the above said Writ Petition.

IA NO: 2 OF 2024:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents herein to treat the period from 24-8-2022 and 26-2-2024 as on duty and to pay the arrears of salary with interest at the rate of 24% per annum to the petitioner by passing appropriate orders to that effect, pending disposal of the WP.No.7144 of 2024, on the file of the High Court.

IA NO: 3 OF 2024:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents herein to process the application of the Petitioner for granting all retiral benefits such as pension, gratuity etc., since he is going to retire from service on 30-4-2024 on attaining the age of superannuation, pending disposal of the WP.No.7144 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 19.03.2024 made herein and upon hearing the arguments of SRI. V. ROHITH Advocate for the Petitioner and GP FOR SERVICES for the Respondents, the Court made the following.

ORDER:

At request of learned Government Pleader for Services to file counter, post on 22.04.2024.

Till then, interim order granted earlier shall stand extended.

SD/- T. VIJAY KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. V. ROHITH, Advocate [OPUC].
2. Two CCs to GP FOR SERVICES, High Court for the State of Telangana at Hyderabad [OUT].
3. One spare copy

HIGH COURT

PKJ

DATED:22/03/2024

POST ON 22.04.2024

ORDER

HIGH COURT FOR THE STATE OF TELANGANA
SPECIAL CELL
28 MAR 2024
DESPATCHED

WP.No.7144 of 2024

INTERIM ORDER EXTENDED