

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).4838/2009

(From the judgement and order dated 21/08/2008 in WP No. 23700/2005  
of The HIGH COURT OF A.P AT HYDERABAD)

CH.CHINNA BABU Petitioner(s)  
VERSUS

M.VEERA REDDY & ORS. Respondent(s)  
(With appln. for vacating stay and office report)  
(For final disposal)

WITH SLP(C) NO. 22899 of 2009  
(With office report)

SLP(C) NO. 22900-22902 of 2009  
(With prayer for interim relief and office report)

SLP(C) NO. 23206-23208 of 2009  
(With appln.for c/delay in filing SLP and office report)

SLP(C) NO. 4837 of 2009  
(With prayer for interim relief and office report)

Date: 28/07/2011 This Petition was called on for hearing today.

CORAM :  
HON'BLE MR. JUSTICE P. SATHASIVAM  
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. Altaf Ahmed, Sr.Adv.  
SLP(C)Nos.4838/09: Mr. A. Ramesh, Adv.  
& 4837/2009 Ms. Promila,Adv.

SLP.23206-23208/09 Mr. R. Venkataramani, Sr.Adv.  
Mr. V. Sridhar Reddy, Adv.  
Mr. T.N. Rao, Adv.

SLP.22900-22902/09 Mr. R. Venkataramani, Sr.Adv.  
Mr. A. Ramesh, Adv.  
Mr. Santhana Lakshmi, Adv.  
Mr. A.Venayagam Balan, Adv.

SLP.No.22899/2009 Mr. P. Vishwanatha Shetty, Sr.Adv.  
Mr. A. Ramesh, Adv.  
Ms. G.Madhavi, Adv.(AC)

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For Respondent(s) Mr. T. Surya Karan Reddy, Adv.  
Mr. R. Santhan Karishnan, Adv.  
Mr. Praveen K. Pandey, Adv.  
Mr. C.S.N. Mohan Rao, Adv.  
Ms. C.K. Sucharita, Adv.

Mr. I. Venkatanarayana, Sr.Adv.  
Mr. G.N. Reddy, Adv.  
Mr. C. Kannan, Adv.

Mr. T.V.George, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned senior counsel for the petitioners as well as for respondents.

Insofar as SLP(C) Nos.4838 of 2009 and 4837 of 2009 are concerned, Mr. Altaf Ahmed learned senior counsel fairly states that the petitioner has already approached the Andhra Pradesh Administrative Tribunal by filing O.A.No.7243 of 2001 in terms of the impugned order of the High Court dated 21st August, 2008 in W.P. No.23700 of 2005.

Insofar as in SLP (C) Nos.22900-22902 of 2009 are concerned the petitioners therein were not parties before the High Court in writ petition filed by the Government of Andhra Pradesh. Learned senior counsel Mr. R. Venkataramani states that the claims of those petitioners were not agitated and considered by the High Court.

The petitioners in SLP (C) Nos.23206-23208 of 2009 state that their petitions were disposed of by the High Court following the decision in W.P.No.22590 of 2002 dated 21st August, 2008.

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In SLP (C) No.22899 of 2009, in which Mr. P. Viswanatha Shetty learned senior counsel appears, it is not in dispute that the petitioners were not parties either before the High Court or before Tribunal.

The principal claim of the petitioners is concerning fixation of their correct seniority. After going into their grievance, factual details, various Government Orders (G.Os) and the reasoning of the decision of the High Court, we are of the view that the proper course for the petitioners is to move the Tribunal by filing Original Applications for that purpose. Accordingly, while seeking permission to withdraw the special leave petitions, learned senior counsel representing them seek specific directions from this Court to the Tribunal to consider their respective claims concerning their seniority without reference to the decision rendered by the High Court in that behalf in W.P.No.22590 of 2002 etc. While accepting this prayer, we make it clear that when such Original Applications are filed and considered by the Tribunal, the regularization of the respondents i.e. M. Veera Reddy and others shall not be disturbed. The Tribunal is, however, free to consider the claims of these petitioners with regard to their seniority and other aspects not considered and adjudicated by the High Court.

With the above clarification, we permit the petitioners to withdraw all the special leave petitions with liberty to move the Tribunal as observed above. The petitioners who have not filed

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their Original Applications before the Tribunal, are granted four weeks time from today to avail such

remedy. If such petitions are filed, the Tribunal is directed to consider the aspects mentioned above and dispose of the same on merits after affording opportunity to all the parties concerned within a period of six months from the date of presentation of their Original Applications.

The special leave petitions are dismissed as withdrawn accordingly.

In view of the fact, that this Court has granted interim order while issuing notice in these petitions, we direct both parties to maintain status-quo as of now till final order is passed in these Original Applications.

[ Usha Bhardwaj ]  
Court Master

[ Savita Sainani ]  
Court Master