

**THE HON'BLE SRI JUSTICE B.PRAKASH RAO**

**AND**

**THE HONBLE DR. JUSTICE G.YETHIRAJULU**

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**WRIT APPEAL NO.2615 OF 2005.**

**DATED: 30-12-2005**

Between

1.G.Parvathalu son of Chinnaiah,  
aged 45 years,Asst.Engineer, Achampet,  
A.P.State Housing Corporation Limited,  
Mahaboobnagar district and 8 others

**....Appellants**

And

1.The Managing Director, A.P.State  
Housing Corporation Limited, H.No.3-6-160,  
Urdugally, Himayatnagar, Hyderabad and  
4 others.

**...Respondents**

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**JUDGMENT** (Per Sri B.Prakash Rao, J)

Heard both the counsel and at their request, the main appeal itself is taken up for disposal.

The appellants herein are the writ petitioners who sought a writ of

mandamus declaring G.O.Rt.No.416, dated 12-12-2005, issued by the 4<sup>th</sup> respondent as illegal and arbitrary.

Pending admission of the writ petition, this Court passed orders on 20-12-2005 granting interim suspension of the said G.O. However, it was observed that the said orders does not preclude the Government from issuing necessary orders, after putting the petitioners on notice. It is pointed out that the Government also issued notice on 23-12-2005 and therefore, it will eventually lead to immediate reversion in spite of the fact that they are entitled to be continued as Assistant Engineers. Against the similar order passed in G.O.Rt.No.114 dated 19-04-1999, another writ petition was filed.

Having considered the submissions made and on perusal of record, it is seen that the main writ petition itself is still pending consideration in this Court and while granting interim suspension of the impugned order, it was observed prima facie that the Government vide G.O.Rt.No.114 dated 19-04-1999 conferred the right on the petitioners to be continued as Assistant Engineers till they come up for consideration to fill up such posts in the resultant vacancies in future. Though it is stated that the notice was given to one of the appellants but not to others, the fact remains that an opportunity is being given to all the appellants by way of such notices and it is only after taking into consideration the explanation of the individuals, it is open to the respondents to pass orders afresh in accordance with law. If any adverse order is passed, it is always open to the appellants to seek the appropriate relief depending upon the exigency. In view of the same, we do not find any warrant to interfere with the impugned order.

Accordingly, the writ appeal is dismissed. No costs.

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**B.PRAKASH RAO, J**

**Dated: 30-12-2005.**

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**G.YETHIRAJULU, J**

**Note: CC in 3 days**

**B/o**

**Hsd**