

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

WEDNESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE P.MADHAVI DEVI

WRIT PETITION NO: 32911 OF 2022

Between:

M.A.Khaja Moinuddin, S/o.M.A.Qayum, Aged about.43years,
Occ.Un-employee, R/o.Flat No.203, Rock Haven Apartment, Akbar Hills, Opp.
Pillar No.203, Upparpally, Ragendranagar, Hyderabad 500 048.

...PETITIONER

AND

1. The Central Board of Indirect Tax and Customs, Rep by its Chairmen, North Block, New Delhi-110001
2. The Department of Personnel and Training, Rep by its Chairmen North Block, New Delhi-110001.
3. The Principal Commissioner of Central Tax Hyderabad, Commissionerate, GST Bhavan, L.B.Stadium Road, Basheerbagh, Hyderabad.
4. The Committee for Compassionate Appointment Department of Customs, Central Excise and Service Tax Hyderabad GST Commissionerate, GST Bhavan L.B.Stadium Road,Basheerbagh,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 order or orders or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in not considering the petitioner application for the appointment under compassionate ground which is illegal, arbitrary, and against the principles of Natural Justice and violative of Article 14,16 of the constitution of India and consequently direct the Respondents to consider the application of the petitioner under compassionate ground or else petitioner will lose irreparable loss which cannot be compassionate at any point of time.

IA NO: 1 OF 2022

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 stay all proceedings including in the circular C.No.II/31/20/ 2019-Estt-Part dated 03.12.2021 till the disposal of the Writ Petition.

Counsel for the Petitioner: M/s. S. SUMAN

Counsel for the Respondents: SRI B. NARASIMHA SARMA

The Court made the following: ORDER

SD/-B.SATYAVATHI

THE HONOURABLE SMT JUSTICE P.MADHAVI DEVI

W.P.No. 32911 OF 2022

ORDER:

Learned counsel for the petitioner has filed a letter dated 12.09.2022, stating as under:-

"The petitioner in the above writ petition is seeking to withdraw the present writ petition with a liberty to file fresh writ petition by filing all the relevant documents and seek appropriate relief".

2. Learned standing counsel for the respondents submits that there is an alternative remedy to the petitioner i.e., filing O.A., before the Central Administrative Tribunal (CAT) and the petitioner had also filed two O.As., on the earlier occasions and therefore, the writ petition shall be dismissed as withdrawn with a liberty to file before the Tribunal.

3. In view of the above, this writ petition is dismissed as withdrawn with a liberty to the petitioner to avail alternative legal remedies. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

//TRUE COPY//

**SD/-B.SATYAVATHI
DEPUTY REGISTRAR
SECTION OFFICER**

To,

1. One CC to M/s. S. Suman, Advocate [OPUC]
2. One CC to Sri B. Narasimha Sarma, Advocate [OPUC]
3. Two CD Copies
4. One Spare Copy

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BS



HIGH COURT

DATED:14/09/2022



ORDER

WP.No.32911 of 2022

DISMISSING THE WP
AS WITHDRAWN
WITHOUT COSTS

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29/11/22
HVS