

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH

WRIT PETITION NO.7189 OF 2005

Between:

S. Khadar Basha

... Petitioner

and

The Superintending Engineer, Southern
Power Distribution Company of A.P.
Limited and others

... Respondents

DATE OF JUDGMENT PRONOUNCEMENT : 11th AUGUST,
2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE SANJAY KUMAR

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| 1. | Whether Reporters of Local newspapers may be allowed to see the judgment? | Yes/No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals | Yes/No |
| 3. | Whether their Lordship wishes to see the fair copy of the judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.7189 OF 2005

ORDER

The petitioner assails the Memo dated 01.12.2004 issued by the Chief General Manager, Human Resources Development, Southern Power Distribution Company Limited of Andhra Pradesh (APSPDCL) rejecting his claim for seniority on par with one C.V.Ganeshan. He seeks a consequential direction to the APSPDCL to promote him from the post of Bill Collector to the post of Lower Divisional Clerk with effect from 16.08.1972 instead of 16.08.1976.

Perusal of the impugned Memo dated 01.12.2004 reflects that the APSPDCL clearly set out the facts which distinguished the case of C.V.Ganeshan from that of the petitioner. It was on the basis of these distinguishing factors that C.V.Ganeshan was treated differently. The petitioner, at best, can have a grievance as regards the treatment given to C.V.Ganeshan. That, however, is not the case. The petitioner seeks parity with C.V. Ganeshan without first demonstrating that he stood on the same factual footing as he did, warranting similar relief being given to him. Unless the petitioner is able to establish parity in all respects with C.V.Ganeshan, he cannot automatically compare himself with him and ask for seniority on par with him. This Court therefore finds no irregularity in the impugned Memo dated 01.12.2004.

The writ petition is therefore devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

11th AUGUST, 2015

PGS

