

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.7593 of 2005

ORDER:

The writ petition is filed seeking mandamus declaring the inaction of the respondents in promoting the petitioner in accordance with the rules once in every five years during his service, as illegal and arbitrary, and consequently direct the respondents to pay all consequential benefits along with increments as applicable to the petitioner.

The petitioner joined the A.P.State Trading Corporation as Senior Assistant on 11.06.1980. He was confirmed in the said category in 1982 and promoted as Assistant Manager in December 1986. It is stated that in view of the non-preparation of seniority list, the petitioner was not promoted, but, however, in 1997 he was re-designated as Manager in the pay scale of Deputy Manager. The petitioner made several representations to the respondents to restore his seniority, giving promotion and also the pay scale. But his representations were not considered by the respondents. Ultimately, on 30.06.2004 the petitioner retired from service as Manager.

The learned counsel for the petitioner submits that even though the petitioner had served the Corporation for nearly 24 years, his service was not properly regulated. He further submits even though the petitioner was entitled to the benefits which were given to the similarly placed, he was denied the same.

It is stated that one Mr.M.Prakash Rao, who was junior to the petitioner, was promoted as Deputy General Manager by overlooking the seniority of the petitioner. Admittedly, the petitioner has retired as Manager of the respondent Corporation on 30.06.2004. He is said to have been made several representations and last being immediately after his retirement i.e. on 25.10.2004.

Having heard the learned counsel for the petitioner and having considered the facts and circumstances of the case, the respondents are directed to consider

and dispose of the representations of the petitioner made before his retirement and after his retirement dated 02.04.2004 and 25.10.2004 and pass appropriate orders thereon, after giving opportunity of being heard to the petitioner, within a period of 3 (three) months from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 05.11.2015

Dsr