

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

-

AND

-

THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

-

WRIT PETITION Nos. 3844 and 3938 of 2006

-

-

COMMON ORDER: (per Hon'ble Sri Justice G. Chandraiah)

Challenge in these writ petitions is to the orders dated 05.01.2006 in O.A.No.120 of 2006 on the file of the Andhra Pradesh Administrative Tribunal. The applicant in the said O.A. is the sole respondent in W.P.No.3844 of 2006 and 1st respondent in W.P.No.3938 of 2006. As a common issue is involved, the petitions are taken up together for disposal by way of this common order.

2. The applicant, who is working as In-charge Assistant City Planner/TPO (Selection Grade), was issued a charge memo by the respondent-Director of Town & Country Planning, Government of Andhra Pradesh, Hyderabad, vide G.O.Rt.No.806, dated 16.06.2003, imputing certain allegations. In reply, the applicant purportedly filed a detailed representation. Subsequently, Enquiry Officers were appointed in September, 2004, and again in September, 2005, but the enquiry could not go ahead for reasons unknown. Assailing the action of the respondent in not concluding the enquiry and effecting promotion to the post of Assistant Director/ACP/TPO (Selection Grade), the applicant approached the Tribunal by filing the aforesaid O.A. The Tribunal disposed the O.A. by the impugned order directing the respondent to complete the disciplinary proceedings before conducting the Departmental Promotion Committee and if, for any reason, the enquiry could not be concluded, the candidature of the

applicant shall be considered for promotion to the post of Assistant Director/ACP/TPO (Selection Grade) without reference to the disciplinary proceedings.

Though the petitioners in W.P.No.3938 of 2006 are not parties to the O.A.No.120 of 2006, however, as persons competing for promotion along with the applicant, filed the writ petition aggrieved by the orders of the Tribunal.

3. When the matters are taken up, both the learned counsel submit that the disciplinary proceedings against the petitioner in W.P.No.3844 of 2006 concluded by dropping the charges, and subsequently the petitioners in the writ petitions have got promotion and hence the cause espoused in the writ petitions does not survive.

4. Recording the submission, the writ petitions are dismissed as infructuous. No costs. Miscellaneous petitions, if any pending, shall stand closed.

G. CHANDRAIAH, J

U. DURGA PRASAD RAO, J

16th November, 2015

ksm

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

-

AND

-

THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-
-
-
-
-
-
-
-

WRIT PETITION Nos. 3844 and 3938 of 2006

16th November, 2015

ksm