

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P. No. 2855 of 2015

ORDER:

Heard the learned Standing Counsel for the petitioners and Sri J.Sudheer, learned counsel for 3rd respondent.

This Writ petition is filed challenging the minutes of the meeting dt.05-11-2014 of 1st respondent which were communicated by letter dt.03-12-2014 to 2nd respondent directing the member of 2nd respondent to release the Special Promotion Post Scale-I to 3rd respondent and also give her promotion.

There is no dispute that the respondent Nos.1 and 2 have no power to give such directions under Article 338 of the Constitution of India and it can only make appropriate recommendations to the employer or to the State Government as the case may be.

In this view of the matter, the Writ Petition is allowed and the impugned minutes dt.05-11-2014 issued by 1st respondent as well as letter dt.03-12-2014 of 2nd respondent are set aside as wholly without jurisdiction.

As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 19-10-2016
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