

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No.17078 OF 2004

ORDER: (*Per* Hon'ble Sri Justice V. Ramasubramanian)

Challenging an order of penalty and non consideration of his name for promotion to the post of Deputy Tahsildar, the petitioner filed an Application, which was dismissed by the Andhra Pradesh Administrative Tribunal at Hyderabad (for short, 'the Tribunal'), forcing him to come up with the present writ petition.

Heard Mr. S. Chandrasekhar, learned counsel for the petitioner, and the learned Government Pleader for Services-II (TS).

Admittedly, the petitioner was imposed with a penalty of stoppage of increment for two years without cumulative effect way back in 1991. The penalty was confirmed by the appellate authority by an order, dated 24.09.1993, and also by the Government *vide* G.O.Rt. No.333, Revenue Department, dated 04.03.1996.

The petitioner, who did not challenge the order of penalty within one year, became aggrieved by the non consideration of his name for promotion to the next higher post in the panel year 1991-92. After he was considered in the panel year 1995-96 and promoted, he made a representation and went before the Tribunal, after the same was rejected. Therefore, the Application of the petitioner as against the non inclusion of his name in the panel for promotion alone was within the period of limitation and the application was beyond the period of limitation insofar as the penalty is concerned. This is perhaps the reason why the Tribunal did not deal with his grievance against the order of penalty.

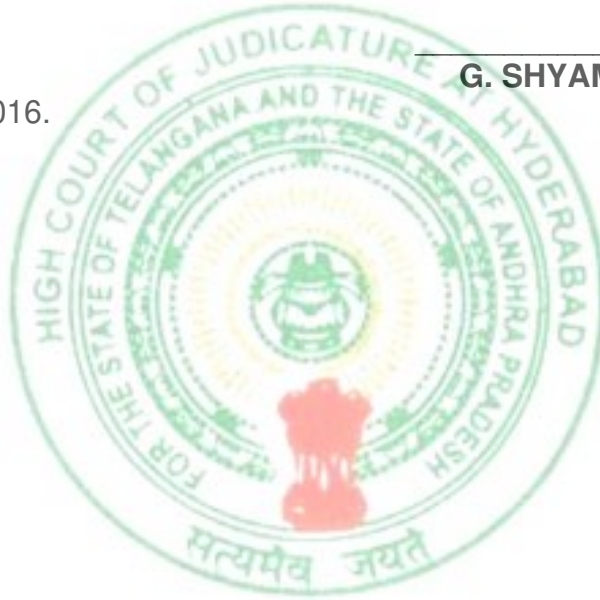
Insofar as the non consideration of his name for promotion is concerned, admittedly, the charges were pending, which resulted in a penalty. Therefore, we see no reason to interfere with the order of the Tribunal. Hence, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, miscellaneous petitions, if any, pending in this writ petition, shall stand dismissed as infructuous.

V. RAMASUBRAMANIAN, J

Date: 01-11-2016.
Dsh

G. SHYAM PRASAD, J



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WRIT PETITION No.17078 OF 2004

(Order of the Division Bench delivered by
Hon'ble Sri Justice V. Ramasubramanian)

Date. 01-11-2016

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