

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.4470 OF 2006

ORDER:

Heard Mr. K.Ramamohan Mahadeva for petitioner and Mr.A.Yadava Reddy for 1st respondent.

The petitioner challenges proceedings No.A2/248/APSC/06 dated 24.02.2006 of the 1st respondent and quash the same as illegal, improper and unjust. The petitioner also prays for a consequential prayer to declare that the petitioner is entitled for posting as In-charge Assistant Engineer.

The circumstances relevant for disposal of the writ petition are as under:

The petitioner and 2nd respondent were working as Work Inspectors Grade-II in 1st respondent Corporation. The 1st respondent issued impugned proceedings posting the 2nd respondent as In-charge Assistant Engineer. The petitioner by reference to the *inter se* seniority between the petitioner and 2nd respondent complains that through the impugned proceedings, the 2nd respondent is posted as In-charge Assistant Engineer. By virtue of seniority, the petitioner should have been appointed and there are no justifiable reasons for denying opportunity to the petitioner. Hence, the writ petition.

It is not disputed that the petitioner was also posted as In-charge Assistant Engineer and the reason stated for not giving in-charge appointment to petitioner is that the petitioner was having III qualification (Draughtsman Civil) and in the said

arrangement, no individual with ITI qualification was posted as In-charge Assistant Engineers. It is further stated that the petitioner also acquired diploma in Civil Engineering (LCE) and thereafter his case has been considered. The claim of petitioner is on the basis of seniority and the respondents on account of formation of a separate corporation have taken note of the organizational needs and have given preference to individuals who possessed LCE and in-charge arrangement was made.

I do not see any illegality or irregularity in the in-charge arrangement of 3rd respondent as Assistant Engineer. Except the ground of seniority, no other point is urged.

The writ petition fails and is, accordingly dismissed. There shall be no order as to costs.

Consequently, pending miscellaneous petitions in these writ petitions, stand closed.

Date: 01.09.2016
Lrkm

S.V. BHATT, J