

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT PETITION No.22379 of 2016

-
14.07.2016

Between:

P.Ravinder Rao

..Petitioner

And

The State of Telangana,
represented by its Principal Secretary,
Revenue Department, Hyderabad and others

..Respondents

Counsel for the petitioner: Mr.K.Ram Reddy

Counsel for respondent Nos.1 to 4: Government Pleader for Services
(TS)

Counsel for respondent No.5: --

The Court made the following:

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ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed against the order, dated 08.06.2016, in O.A.No.2067 of 2016, on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad – respondent No.5.

2. We have heard Mr.K.Ram Reddy, learned counsel for the petitioner and the learned Government Pleader for Services (TS) appearing for respondent Nos.1 to 4.

3. The petitioner is working as the Sub-Registrar, Grade II/Superintendent in the office of the Deputy Inspector General (Registration and Stamps), Warangal. In the year 2013, the Ante Corruption Bureau (ACB) has laid a trap on the petitioner and allegedly recovered Rs.31,000/- from him which was allegedly received by him from the complainant viz., Banala Sadanandam for doing official favour in connection with registration of a land in his name. Following the same, crime No.16 of 2013 was registered on 18.04.2013 by the ACB and the said case is pending. Besides the said case, the petitioner also suffered charge memo No.S/463/2013, dated 05.08.2015, with regard to the alleged irregularities committed by him between 12.06.2008 and 18.04.2013 and the same is also pending enquiry. In this factual scenario, the petitioner is not being considered for promotion. Having taken note of the above mentioned facts, the Tribunal declined to issue any direction to the respondents to consider the petitioner's case for promotion.

4. Irrespective of the truth or otherwise of the allegations made against the petitioner, the fact remains that a criminal case registered based on the ACB trap laid against the petitioner is pending trial. While no finding as to whether the petitioner is guilty or not can be rendered at this stage, in our opinion, having regard to the gravity of

the nature of the allegations made against the petitioner, the respondents cannot be compelled to consider him for promotion. If the petitioner proves his innocence in the pending criminal case and also the departmental proceedings, he will be entitled to all the consequential benefits attached to the promotion.

5. Subject to the above observations, the Writ Petition is dismissed.

6. As a sequel to dismissal of the writ petition, W.P.M.P.No.27519 of 2016 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

14th July, 2016

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