

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL**

WRIT PETITION No.7841 of 2016

Date: 11.03.2016

Between:

M.Subba Rao

.. Petitioner.

And

The State of A.P. rep by its Principal
Secretary, Transport, Roads & Buildings
Department, Secretariat, Hyderabad
and others

.. Respondents.

Counsel for the petitioner: Mr. P. Balakrishna Murthy

Counsel for the respondents 1 to 3: G.P. for Services (AP)

The Court made the following:

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

The petitioner, who belongs to Scheduled Tribe category, filed this writ petition feeling aggrieved by order, dated 11.12.2015, in O.A.No.6381 of 2013 on the file of the A.P. Administrative Tribunal, Hyderabad (for short, 'the Tribunal').

The grievance with which the petitioner has filed the above-mentioned O.A before the Tribunal was that the official respondents have not been effecting promotions by following Articles 16 (4-A) and 16 (4-B) of the Constitution of India and G.O.Ms.No.5, dated 14.02.2003, providing for reservations in promotions.

While disposing of the O.A, the Tribunal has taken note of the fact that under G.O.Rt.No.2147, dated 16.05.2014, the erstwhile State of Andhra Pradesh has imposed ban *inter alia* on promotions till final allocation of the employees was made to the States of Telangana and Andhra Pradesh and it, however, directed the official respondents that as and when the ban is lifted, they shall pass appropriate orders in accordance with the Rules in force and the law governing the subject.

At the hearing, Mr. P. Balakrishna Murthy, learned counsel for the petitioner, placed before the Court G.O.Rt.No.566, General Administration (DPC) Department, dated 10.03.2016. Para 6 of the said G.O reads as under:

“Government, after careful examination of the matter hereby relax the ban imposed in G.O. first read above on promotions, appointments (Including compassionate appointments), transfers, revision of seniority and change in terms and conditions of employment to the Departments where final allocation of employees of State / Multi Zonal cadres have been completed by the

Government of India subject to the General ban on transfers and other general restrictions that are in operation.”

From the above-mentioned G.O, it is evident that the ban imposed by G.O.Rt.No.2147, dated 16.05.2014, has been relaxed in the matter of promotions, appointments, transfers, revision of seniority and change in terms and conditions of employment to the Departments where final allocation of employees of State / Multi Zonal cadres has been completed by the Government of India subject to the general ban on transfers and other general restrictions that are in force.

In the light of the above G.O., respondent Nos.1 to 3 are directed to consider the case of the petitioner for promotion, subject to finalization of seniority and final allocation, as expeditiously as possible and not later than four months from the date of receipt of this order.

Subject to the above direction, this Writ Petition is disposed of.

As a sequel to the disposal of the writ petition, WPMP.No.9980 of 2016 filed by the petitioner for interim relief stands disposed of as infructuous.

C.V.NAGARJUNA REDDY,J

M.S.K.JAISWAL,J

11.03.2016
v v