

THE HON'BLE SRI JUSTICE SURESH KUMARKAIT
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

C.C.NO.1912 OF 2017

ORAL ORDER (Per SKK,J)

Pursuant to order dated 22.09.2017 counter affidavit stated to have been filed with an advance copy to the other side, is not on record. The counsel for the petitioner has furnished counter affidavit filed by the respondent, wherein it is stated that the representation of the petitioner dated 2.12.2015 has been disposed of by the Commissioner, Telangana Vaidya Vidhana Parishad vide order dated 21.09.2017 in Rc.No.608/P/2-17-1. In the said proceedings, it is stated as under:

"Further, the Hon'ble High Court has directed to "dispose of this writ petition directing the Commissioner to take decision on the representation of the petitioner said to have been made on 02.12.2015, in accordance with law."

Further, it is to inform that the rules for promotion for dietician are not framed in the VVP Special Service Regulations i.e., G.O.Ms.No.48 Dt.29.01.2000, but as per G.O.Ms.No.232, HM &FW Dt. 10.02.2015, the Dietician post is filled "By appointment by transfer of qualified candidates from any of the categories in Andhra Pradesh Medical Sub-ordinate Services and Andhra Pradesh Public Health Sub-ordinate Services".

And must possess the following qualifications:

- (i) Must possess a B.Sc. Degree, of a University in India established or incorporated by or under a Central Act, Provincial Act or a State Act or an institution recognized by the University Grants commission or an equivalent qualification; and
- (ii) Must have passed one year course of Diploma in Applied Nutrition and Dietetics from a recognized institution.

The dietician Post in a State level post in this department. Recently, the Government has been permitted to give promotion for State cadre employees under the control of TVVP vide reference 3rd cited.

Accordingly, a circular has been issued to all the Superintendent, District Head Quarters in the State to furnish eligible candidates service particulars for preparation of list of eligible candidates for consideration of promotion for the dietician post vide reference 4th cited.

Further the list of candidates has been prepared and objections were called for, if any along with original records for taking further necessary action to complete the promotion process for the post of Dietician vide 5th cited.

In view of the above, Sri Wazid Khan, s/o Dawood Khan working as Lab-Attendant, District Hospital Mahabubnagar is informed that the dietician post will be filled up as per eligibility, service, educational qualifications and rules in force, if you are eligible then your request will be considered."

As per the aforesaid order it is informed to the petitioner that Dietician post will be filled up as per eligibility, service, educational qualifications and rules in force. Accordingly, if the petitioner is eligible, then his request will be considered.

In view of the above facts, we hereby close the contempt case against the respondent. No costs.

We hereby make it clear that if the petitioner is aggrieved by the order dated 21.09.2017, he may take steps available under law.

Miscellaneous petitions pending if any, shall stand closed.

SURESH KUMAR KAIT,J

DR. SHAMEEM AKTHER,J

DATE:27—10—2017

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