

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

Writ Appeal No.170 of 2017

JUDGMENT: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

This appeal, under Clause 15 of the Letters Patent, is preferred against the order passed by the Learned Single Judge in W.V.M.P.No.3882 of 2016 in W.P.M.P.No.18857 of 2016 in W.P.No.15203 of 2016 dated 21.12.2016.

On an interim order being passed in W.P.M.P.No.18857 of 2016 dated 09.06.2016, directing the respondents to consider the case of the appellant-writ petitioner for promotion, the respondents herein filed a petition to vacate stay. The Learned Single Judge, by his order dated 21.12.2016, vacated the interim stay. Aggrieved thereby, the present appeal.

In the counter affidavit filed by the Director (HR), TSSPDCL, Hyderabad, it is specifically asserted at paragraph 6 as under:

“...While the things stood thus, a decision was taken by the petitioners/respondents to fill up the existing vacancies of Addl. Asst. Engineers. The eligible Sub-Engineers were appointed as I/c.AAEs by transfer vide Memo.Dt.19.10.2015. It is submitted that, the name of the petitioner was included in the approved list of Sub-Engineers for appointment of Addl.Asst.Engineer by transfer. The name of respondent/petitioner came for consideration along with other candidates. In view of the pendency of criminal proceedings and departmental enquiry, the decision is kept in sealed cover....”

Sri P.Gangaiah Naidu, learned Senior Counsel appearing on behalf of the appellant-writ petitioner, would submit that, in view of the specific assertion in the counter affidavit that the appellant's case was considered and kept in a sealed cover, the appellant does not seek an adjudication on merits and he be permitted to withdraw the writ appeal.

The Writ Appeal is, accordingly, dismissed as withdrawn.
The miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

09th February, 2017
JSU



THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER



Writ Appeal No.170 of 2017

Date: 09.02.2017

JSU