**HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**W.P.No.45364 OF 2016 & CC (TR) No.267 of 2017**

**COMMON ORDER**

**Since the parties and the issue involved in both the cases is one and the same, they are being disposed of by this common order.**

**The petitioner states that he was appointed as Special teacher. Later on, he was absorbed as Special Grade Teacher with effect from 9.1.1987. Thereafter, he was promoted as School Assistant from 5.10.2000. Similarly, the 5th respondent, is also a physically handicapped person and was directly recruited as School Assistant on 17.11.2000. The petitioner, when he came to know about the seniority list of School Assistants, he noticed that the 5th respondent was already promoted to the cadre of Panel Grade Head Master with effect from 14.09.2012. When the case of the petitioner was not considered, he filed the present writ petition.**

**The petitioner filed O.A.No.4835 of 2015 before the erstwhile Andhra Pradesh Administrative Tribunal (for short 'APAT'), Hyderabad, seeking promotion to the post of Panel**

Grade Head Master on par with the 5th respondent. An interim order was passed on 2.9.2015 directing the District Educational Officer, Warangal, to consider the case of the petitioner for promotion to the post of Panel Grade Head Master in the existing vacancy. Pursuant to the said interim orders, the District Educational Officer, Warangal, passed an order on 30.09.2015 rejecting the request of the petitioner for promotion to the post of Panel Grade Head Master. In the said rejection order, it is stated that totally 15 School Assistants were awarded promotions to the post of Panel Grade Head Master and the 5th respondent was promoted as Panel Grade Head Master in PHC (Ortho) roster point during the year August-2012 as per his seniority at Sl.No.01 in PHC (Ortho) Roster point. The name of the petitioner was not found in the earlier seniority list during August 2012, as he did not apply for inclusion of his name in the seniority list. The promotions were effected to 38 School Assistants and they were promoted as PG HM Gr.II during the year July, 2015. The last candidate Smt M.Shobarani was covered for promotion to the post of PG HM Grade-II, who is appointed on 8.10.1988 as School Assistant and the date of appointment of the petitioner is not

covered under selection zone for promotion, his case was not considered.

The petitioner filed Contempt Application No.986 of 2015 before the Tribunal for violation of the orders dated 2.9.2015. After bifurcation of APAT, OA No.4835 of 2015 was transferred to this Court and numbered as WP (TR) No.4787 of 2017 and C.A.No.986 of 2015 was numbered as CC (TR) No.267 of 2017.

Since an order was passed on 30.09.2015 pursuant to the interim order passed by the Tribunal, this Court sees no ground to entertain W.P.No.45364 of 2016 and CC (TR) No.267 of 2017.

Accordingly, W.P.No.45364 of 2016 and CC (TR) No.267 of 2017 are dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

*20th November, 2017*

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HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते