

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SMT. JUSTICE K.VIJAYA LAKSHMI

WRIT PETITION No. 32204 OF 2017

DATED 21ST SEPTEMBER, 2017

Between:

K.Srinivasa Rao

... Petitioner

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
MA & UD Department, Secretariat Buildings,
Velagapudi, Guntur District, and another

... Respondents

Counsel for the petitioner

:

Sri R.Rajasekhara Rao

Counsel for the respondents

:

G.P. for Services (A.P.)

THE COURT MADE THE FOLLOWING

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

Feeling aggrieved by order dated 05-07-2017 in O.A.No. 1790 of 2017 on the file of the Andhra Pradesh Administrative Tribunal at Hyderabad (for short, 'the Tribunal'), the applicant therein has filed this Writ Petition.

2. The grievance with which the petitioner filed the aforementioned O.A. before the Tribunal was that though a charge memo was issued as far back as 28-02-2011, inquiry is still pending and that on the ground of pendency of disciplinary proceedings, the respondents are not considering the case of the petitioner for promotion to the post of Town Planning Officer. The Tribunal dismissed the application on the ground that the respondents cannot be hustled to consider the petitioner's case.

3. Learned Government Pleader for Services (A.P.) has submitted that the petitioner's case has not so far been rejected for promotion and that his case will be considered by Departmental Promotion Committee strictly in terms of G.O.Ms.No. 257, General Administration (Ser.C) Department, dated 10-06-1999.

4. In the light of the above submission of learned Government Pleader for Services (A.P.), the order of the Tribunal is set aside. The respondents are directed to consider the case of the petitioner for promotion in the light of G.O.Ms.No. 257 dated 10-06-1999, take a decision and communicate the same to the petitioner immediately thereafter. If the petitioner feels aggrieved by the decision taken by the respondents, he shall be free to avail appropriate legal remedies.

5. The Writ Petition is accordingly disposed of.

6. As a sequel to disposal of the Writ Petition, W.P.M.P.No. 40080 of 2017 shall stand closed as infructuous.

C.V.NAGARJUNA REDDY, J.

K.VIJAYA LAKSHMI, J.

Date: 21-09-2017.

JSK

