

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.8751 OF 2017

Date : 23.3.2017

Between :

P Venkateswarlu Naik S/o Kota Naik
R/o Kota Nemalapuri village and post
Rajupalem mandal, Guntur district

Petitioner

And

The State of A P
Rep by its Principal Secretary,
Roads and Transport Department,
Secretariat, Amaravati, Guntur and others

Respondents

The Court made the following:



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ORAL ORDER:

Petitioner is a driver in the respondent corporation. In this writ petition, he seeks enforcement of office order dated 14.12.2005, whereunder, he was declared eligible for promotion. Petitioner contends that said promotion order is not given effect to.

2. As informed by the learned standing counsel, on instructions, subsequent to inclusion of his name for promotion, he was visited with penalty of removal from service on four occasions but on consideration by the higher authorities, he was reinstated into service. He was also visited with punishment of postponement of increment for six months. This may be one reason for not granting promotion to the petitioner.

3. However, fact remains that petitioner seeks enforcement of order dated 14.12.2005 wherein he was granted promotion as Assistant Depot Clerk/ Controller. No satisfactory explanation is forthcoming in the writ petition as to why claim is made after 12 years, except narrating the issue regarding disciplinary action taken against him from time to time. Disciplinary action and submission of representations cannot save inordinate delay and latches in making claim for implementation of the orders of promotion issued in December, 2005, after long lapse of time of more than 11 years. Writ petition is liable to be dismissed on the ground of inordinate delay and latches in claiming promotion from retrospective date. It is needless to observe that if petitioner is otherwise eligible for consideration for promotion, same shall be considered in accordance with law. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE:23.3.2017
TVK

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