

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.12383 OF 2017

DATED : 10.04.2017

Between :

Md.Zahiruddin Ahmed S/o.Munniruddin Ahmed,
Aged about 39 yrs, Technical Officer,
O/o.Executive Engineer (Public Health), Nizamabad,
Nizamabad District.

.. Petitioner

And

The Engineer-in-Chief,
Public Health, Telangana State, Hyderabad & another.

.. Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner is working as Technical Officer and claims promotion as Deputy Executive Engineer. According to the petitioner he is now qualified to be considered for such promotion and the diploma awarded by Janardan Rai Nagar Rajasthan Vidyapeeth University, Udaypur, State of Rajasthan is equivalent to that of a diploma in Civil or Mechanical Engineering from any University and therefore, eligible to be promoted. Requesting to grant promotion after obtaining the said diploma, a representation was made on 25.03.2017. Alleging inaction on the said representation, this writ petition is filed.

3. Petitioner made a representation on 25.03.2017 and this writ petition is filed on 06.04.2017 i.e., within 12 days from the date of submission of representation. In the facts of this case it cannot be said that there was negligence or inaction on the part of the competent authority in examining the claim of the petitioner for granting promotion and in view of the same this writ petition is premature.

4. Learned counsel for the petitioner contends that the Division Bench of this Court, rendered judgment in W.P.No.9115 of 2009 and in terms of the said judgment there is no ambiguity in the claim made by the petitioner.

5. A perusal of the representation would show that no reference to the said judgment was made in the representation by the petitioner.

6. Having regard to the facts noted above, the writ petition is disposed of granting liberty to the petitioner to make a fresh representation ventilating his grievance and referring to the judgment of this Court rendered in W.P.No.9115 of 2009. As and when such representation is made, the competent authority shall consider and take appropriate decision by a reasoned order, as warranted by law and communicate the same to the petitioner. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

10th April, 2017
Rds

P.NAVEEN RAO,J

