

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.26817 of 2017

Date:10.8.2017

Between:

R.V.S.Seshagiri Rao,
S/o Nagabhushanam

..... Petitioner

And:

The State of A.P., retpd., by its
Principal Secretary, MA & UD
Department, Hyderabad
and another.

.....Respondents

Counsel for the petitioner: Mr. R.Rajasekhara Rao

Counsel for the respondents: GP for Services (Andhra Pradesh)

The Court made the following:

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

This Writ Petition is filed feeling aggrieved by order, dated 18.4.2017, in O.A.No.924 of 2017, whereby the Andhra Pradesh Administrative Tribunal at Hyderabad (for short 'the Tribunal') has dismissed the said O.A.

The grievance with which the petitioner has filed the afore-mentioned O.A. before the Tribunal was that his case is not being considered for promotion to the post of Executive Engineer solely on the ground of pendency of departmental proceedings against him. It is the pleaded case of the petitioner that though the departmental proceedings were initiated as far back as the year 2012, the same are not completed and that, therefore, he cannot be denied the opportunity of being considered for promotion to the post of Executive Engineer on the ground of pendency of departmental proceedings.

At the hearing, Mr. R.Rajasekhara Rao, the learned counsel for the petitioner, as well as the learned Government Pleader for Services (Andhra Pradesh) submitted that an enquiry officer was appointed on 03.02.2017.

Learned counsel for the petitioner submitted that though more than six months had elapsed from the date of appointment of the enquiry officer, the enquiry has not been completed and the final order has not been passed.

In view of the afore-mentioned facts of the case, the respondents are directed to complete the enquiry and pass an appropriate order in the departmental proceedings initiated against the petitioner within three months from the date of receipt of a copy of this order, failing which, the petitioner shall be considered for promotion to the post of Executive Engineer without reference to the pendency of departmental proceedings.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.33297 of 2017 filed by the petitioner for interim relief is disposed of as infructuous.



JUSTICE C.V.NAGARJUNA REDDY

JUSTICE M.S.K.JAISWAL

10th August 2017

DR