

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No.31863 of 2017

Date:19.9.2017

Between:

M.V.D.Phani Ram,
S/o Late Ramakrishna Rao

..... Petitioner

And:

The State of A.P., repto by its
Principal Secretary, Municipal
Administration & Urban Development
(Vig.II) Department, Guntur District
and another.

....Respondents

Counsel for the petitioner: Mr. R.Rajasekhara Rao

Counsel for the respondents: GP for Services (AP)

The Court made the following:

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

Feeling aggrieved by order, dated 30.6.2017, in Original Application No.1266 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.

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 05.11.2014, the respondents have not concluded the inquiry and that, on the ground of pendency of disciplinary proceedings, the respondents are not considering his case for promotion to the post of Municipal Commissioner Grade-I. The Tribunal dismissed the said O.A. on the ground that the respondents cannot be hustled to consider the petitioner's case for promotion.

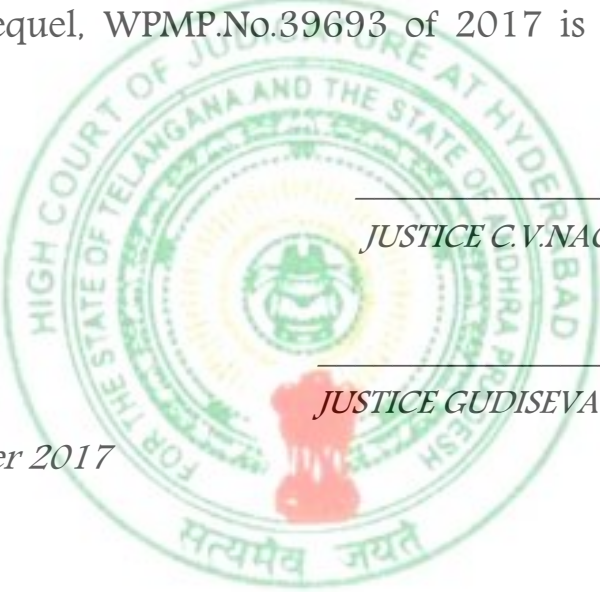
Learned Government Pleader for Services (Andhra Pradesh) has submitted that the petitioner's case has not so far been rejected for promotion and that, his case will be considered by the Departmental Promotion Committee (for short, 'D.P.C.') strictly in terms of G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999.

In the light of the above submission of the learned Government Pleader, the order of the Tribunal is set aside. The

respondents are directed to consider the case of the petitioner for promotion to the post of Municipal Commissioner Grade-I 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.

The Writ Petition is accordingly disposed of.

As a sequel, WPMP.No.39693 of 2017 is disposed of as infructuous.



JUSTICE C.V.NAGARJUNA REDDY

JUSTICE GUDISEVA SHYAM PRASAD

19th September 2017

DR