

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE DR JUSTICE SHAMEEM AKTHER

W.P. No. 23795 of 2017

O R D E R:- (ORAL)

(Per Hon' ble Sri Justice Suresh Kumar Kait)

This writ petition is filed assailing the order dated 15.06.2017 in O.A.No. 1505 of 2017 passed by the Tribunal whereby the application filed by the petitioner under Section 19 of the Administrative Tribunals Act, 1985 was dismissed.

It is not in dispute that the petitioner's case for promotion from the post of Head Constable to the post of Assistant Sub-Inspector of Police was denied by the Superintendent of Police, YSR Kadapa District vide D.O.No. 926/ 2013 C.No.A1/ 319/ 2009-13, dated 10.10.2013. By virtue of these proceedings, except the petitioner, his seniors and juniors were given promotion as Assistant Sub-Inspectors of Police.

Vide the aforementioned O.A., the petitioner sought a direction to the respondents to consider his representation dated 23.01.2017 made to the Superintendent of Police, YSR District for promotion as Assistant Sub-Inspector of Police.

It is pertinent to note that when the petitioner's case for promotion was denied and his juniors were given promotion as Assistant Sub-Inspectors of Police on 10.10.2013, the remedy of the petitioner is to question that order of

promotion dated 10.10.2013 before the appellate authority by invoking Rule 23 of the Andhra Pradesh State and Subordinate Service Rules, 1996 within the period of limitation provided thereunder.

It is not in dispute that Anti Corruption Bureau booked a Case No.7/ RCT/ TCT/ 2013 against the petitioner and another relating to receipt of bribe from a third party and the same is pending.

In view of the above, we find no illegality or perversity in the order of the Tribunal.

Hence, we find no merit in the writ petition and the same is accordingly dismissed confirming the order dated 15.06.2017 in O.A.No. 1505 of 2017 passed by the Tribunal. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

19.07.2017

bcj

SURESH KUMAR KAIT, J

DR. SHAMEEM AKTHER, J