

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

WRIT PETITION No.16212 of 2017

ORDER: (Per SK,J)

The petitioner is the applicant in O.A.No.1053 of 2017 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. Therein, he assailed the action of the authorities in not considering his case for promotion as a Deputy Executive Engineer on the ground that his qualification from Kalinga University, Raipur, was not equivalent to a Degree awarded by the State Board of Technical Education and Training, Andhra Pradesh. By order dated 20.04.2017, the Tribunal dismissed the O.A. Aggrieved thereby, he is before this Court.

While so, it is now brought to our notice that the Government of Andhra Pradesh, through its Higher Education (EC) Department, issued Memo No.1510/EC/A1/2017-1 dated 17.03.2017, whereby a clarification was issued on the validity of the Degree/Diploma certificates awarded by the Institute of Advanced Studies in Education and other Deemed Universities to the named employees therein working in the Public Health and Municipal Engineering Department for the purpose of their promotion to the higher cadre. Seventeen employees find mention in the said Memo and the petitioner's name is shown at Sl.No.8.

In terms of the aforestated Memo, the Degree of the petitioner obtained from Kalinga University, Raipur, is now recognized for the purpose of employment under the Government of Andhra Pradesh. That being so, his claim for promotion cannot be denied on the ground that his qualification is not a recognized one.

The order dated 20.04.2017 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.1053 of 2017 is therefore set aside and the respondent authorities are directed to consider the case of the petitioner for promotion in the light of the aforestated Memo dated 17.03.2017 and on its own merits.

The writ petition is accordingly disposed of.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

N. BALAYOGI, J

Date:28.04.2017

GJ

