

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29247 OF 2017

ORDER:

This writ petition is filed to declare the action of the respondents in not considering the claim of the petitioner for promotion as Assistant Director of Town and Country Planning without taking into consideration of the charge memo vide G.O.Rt.No.805, Municipal Administration And Urban Development (Vig.II) Department, dated 21-11-2016 and to promote the petitioner as per the Departmental Promotion Committee constituted by the respondents as illegal and arbitrary.

In the counter affidavit by the 2nd respondent, it is stated that already promotions were affected, because of pendency of disciplinary proceedings, the case of the petitioner was deferred.

Learned counsel for the petitioner submits that though charge memo issued on 21-11-2016, till now disciplinary proceedings are not concluded and the petitioner filed written statement long back. As such, pendency of disciplinary proceedings cannot be a ground for denying the promotion, when the petitioner is not at fault.

In the counter affidavit also, it is stated that the reason for delay in conclusion of disciplinary proceedings is not on the part of petitioner.

In view of the same, the respondents are directed to consider the case of the petitioner for promotion in terms of

G.O.Ms.No.257, dated 10-06-1999 as and when they take decision to promote the candidates. However, this order will not preclude the disciplinary authority from concluding the disciplinary proceedings.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

19-09-2017

Nvl



