

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDI SEVA SHYAM PRASAD

WRIT PETITION No.31221 of 2017

15.09.2017

Between:

A.Lakshmaiah

..Petitioner

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Municipal Administration and Urban Development Department,
Velagapudi, Guntur and another

..Respondents

Counsel for the petitioner: Mr.R.Rajasekhara Rao

Counsel for the respondents: Government Pleader for Services (A.P.)

The Court made the following:



ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

Feeling aggrieved by order, dated 28.06.2017, in O.A.No.1684 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.

2. 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 27.04.2012, even inquiry officer has not been appointed and that on the ground of pendency of disciplinary proceedings, the respondents are not considering the case of the petitioner for promotion to the post of Superintending Engineer. The Tribunal has dismissed the aforementioned O.A. on the ground that the respondents cannot be hustled to consider the petitioner's case.

3. The learned Government Pleader for Services (A.P.) appearing for the respondents 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.

4. In the light of the above submissions 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 in the light of G.O.Ms.No.257, dated 10.06.1999, and 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.

5. The Writ Petition is, accordingly, disposed of.

6. As a sequel to disposal of the writ petition, W.P.M.P.No.38901 of 2017 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

GUDI SEVA SHYAM PRASAD, J

15th September, 2017
GHN

