

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

WRIT PETITION No.10993 of 2017

ORDER: (per SK,J)

The petitioner is the applicant in O.A.No.305 of 2017 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. His prayer in the said O.A. was directed against the final seniority list of Senior Assistants issued vide Memo dated 30.05.2016 of the Collector and District Magistrate, Guntur, and for quashing of the said seniority list on the ground that it was contrary to Government Orders. He also sought a consequential direction to the authorities to consider his objections and place him in the seniority list above respondents 5 to 19 in the O.A. By order dated 10.02.2017, the Tribunal dismissed the O.A.

Though the Tribunal was of the opinion that no cause of action had arisen as the District Collector, Guntur, had only called for Nominal Rolls of eligible Senior Assistants for preparation of panels for promotion to the posts of Deputy Tahsildars, we find that this issue had never been raised in the context of the main prayer. It is an admitted fact that as against the final seniority list issued vide Memo dated 30.05.2016, the petitioner preferred an appeal to the Chief Commissioner of Land Administration on 20.09.2016 and the said appeal is still pending adjudication. That being so, it was not open to the petitioner to again mount a challenge to the very same seniority list by way of an independent O.A. We are therefore of the opinion that the order of dismissal passed by the Tribunal does not warrant interference, albeit on different grounds.

The writ petition is devoid of merit and is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE N.BALAYOGI

Date:28.03.2017
GJ