

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.35616 OF 2017

O R D E R :

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in not considering the case of the petitioner for promotion to the post of Deputy City Planner, on the ground of pendency of Charge Memo No.94/VI/Vig.Admn/MCH/2001/130, dated 07.11.2001 and Charge Memo No.595/VI/Vig.Admn/MCH/2001, dated 08.10.2003, as illegal and arbitrary and for a consequential direction to the respondents to promote the petitioner to the post of Deputy City Planner as per his seniority without reference to the disciplinary proceedings pending against him.

Learned counsel for the petitioner submits that this Court in identical cases passed orders directing the respondents to consider the cases of officers facing departmental proceedings for promotion along with others and one such order is dated 02.08.2017 in WP.No.25642 of 2017.

Sri N.Ashok Kumar, learned Standing Counsel for the 1st respondent vehemently opposed for grant of interim order.

In view of the above, the writ petition is disposed of directing the respondents to consider the case of the petitioner for promotion, as and when the Departmental Promotion Committee is constituted, without reference to the charges framed against the petitioner, but, however, subjecting such promotion to the outcome of the pending departmental proceedings. However, this order will

not preclude the competent authority from concluding the disciplinary proceedings. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

27.10.2017
t k.

