

The Hon'ble Sri Justice V.RAMASUBRAMANIAN
and
The Hon'ble Sri Justice CHALLA KODANDA RAM

WRIT APPEAL No.1787 OF 2017

Date:24.11.2017

Between:

Gopagani Ganesh S/ o. Late Sri Srihari,
Aged about 49 years, working as Prohibition
And Excise Superintendent, Medchal,
R/ o.Sri Krishna Nagar, Jeedimetla, Medchal District.

...Appellant

Vs.

The State of Telangana, Rep. by its
Principal Secretary, Revenue (Excise-I)
Department, Secretariat, Hyderabad and others.

... Respondents

For Appellant : M s.Svaraju Srinivas

For Respondents : G.P. for Prohibition & Excise



HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT APPEAL No.1787 OF 2017

JUDGMENT: (per V. Ramasubramanian, J)

The petitioners, whose prayer for interim suspension of a seniority list was rightly rejected by the learned Judge, have come up with the above writ appeal.

2. Heard Mr. Svaraju Srinivas learned counsel for the petitioners.

3. The main grievance of the petitioners is that a seniority settled under the three previous seniority lists is sought to be unsettled by the proceedings impugned in the writ petition and that if that is allowed to happen, persons who have always been juniors to the petitioners will become seniors and the petitioners will be compelled to work under them.

4. But as rightly pointed out by the learned Judge, there are several issues raised in the writ petition which cannot be thrashed out at the stage of interlocutory orders. There is no question of staying the seniority list. We have been repeatedly holding, following the dictate of the Supreme Court that in matters relating to promotion and seniority, the one and only interim order that can be passed by the Courts is to say that any promotion or anything done pursuant to the impugned proceedings will be subject to the final outcome. This principle is based on the premise that in all service matters, no irreparable hardship would be caused. Any hardship that would be caused to any individual can always be compensated in terms of money. Though it is contended by the learned counsel for the petitioners that money is not everything in life, the parameters governing how to determine the irreparable hardship is only in terms of monetary value. Therefore, we see no

reason to interfere with the order of the learned single Judge. Hence, the writ appeal is dismissed.

5. Learned counsel for the petitioners submitted that there is a threat of reversion. If there is a threat of reversion, the appropriate prayer that the petitioners should have made before the learned Judge was not to stay the seniority list but, to seek some protection. But they did not. Therefore, except to say that it is open to the petitioners in the event of such threat to move the learned Judge, there are no merits in the writ appeal and it is dismissed.

6. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

CHALLA KODANDA RAM, J

November 24, 2017
KTL

