

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.41456 of 2017

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

2. The petitioner was appointed as Sub Inspector of Police on 16.01.1989 and initially worked at Thungaturthi Police Station, Nalgonda District. Later, he worked in various places and was promoted as Inspector of Police in November, 2001. He was further promoted as Deputy Superintendent of Police in October, 2010 and presently working as Deputy Superintendent of Police at PTC, Amberpet, Hyderabad. It is his case that the second respondent is preparing ad-hoc panel of Deputy Superintendent of Police (Civil) for ad-hoc promotions to the post of Additional Superintendent of Police (ASP) (Civil) for the State of Telangana and accordingly, a Memo was issued on 03.07.2017 by preparing rectified integrated seniority of Inspectors of Police (Civil) in Hyderabad City and Warangal Range. The petitioner states that he is eligible for consideration of his candidature for promotion as Additional Superintendent of Police. He was kept under suspension for dereliction of duties on 24.04.2017, but, however, the said order was revoked on 08.11.2017 and was posted to PTC, Amberpet, Hyderabad. The departmental proceedings are stated to be pending. He states that his case is not being considered for promotion in view of pendency of departmental proceedings.

3. The above facts are not in dispute and the only dispute relates to the eligibility of the petitioner for consideration of his case for promotion as Additional Superintendent of Police. This Court

noticed in several cases that there is no prohibition for consideration of cases of employees facing departmental proceedings for promotion, merely because of pendency of departmental proceedings.

4. In these circumstances, the Writ Petition is disposed of directing the respondents to consider the case of the petitioner for promotion to the next post of Additional Superintendent of Police, if there is no rule prohibiting such consideration and if the petitioner is otherwise eligible.

Miscellaneous petitions, if any, pending in these writ petitions, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

DECEMBER 12, 2017
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Date: 12.12.2017

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