

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 41999 of 2017

Order:

The petitioner was appointed as Junior Assistant in the year 1998 and was promoted as Senior Assistant in the year 2010. He belongs to Zone-V. However, a charge memo was issued on 13.01.2015 relating to an issue of 2011. The petitioner submitted his explanation and disciplinary proceedings are pending. When his case was not considered for promotion, he filed O.A.No.2268 of 2015 and, though interim order was granted in the said application, later on it was vacated. At that time, the petitioner was working as Sub-Registrar Grade-II on in-charge basis and later on he was reverted as Senior Assistant by proceedings dated 04.08.2015. Now the petitioner states that the third respondent prepared year-wise panel from among the eligible Senior Assistants for promotion to the post of Sub-Registrar Grade-II for the Panel Year 2013-14 and the name of the petitioner was at Sl.No.8. The petitioner was posted as Sub-Registrar Grade-II on in-charge basis along with his juniors by proceedings dated 05.02.2015 and, as stated above, he was reverted on 04.08.2015. Now a final seniority list was issued on 05.07.2016 and the petitioner's name is shown at Sl.No.14. It is the case of the petitioner that now promotions are going to be effected for the post of Sub-Registrar Grade-II and his case is not being considered.

There is no dispute that the departmental proceedings are pending against the petitioner, but if there is no rule prohibiting consideration of the cases of eligible employees in respect of whom departmental proceedings are pending, the case of the petitioner also can be considered

subject to his eligibility while effecting promotions to the post of Sub-registrar Grade-II as and when such promotions are taken up.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 12.12.2017
Nsr

