

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT APPEAL NO.419 OF 2018

JUDGMENT: (per SK,J)

This appeal under Clause 15 of the Letters Patent arises out of the order dated 21.09.2016 passed by a learned Judge of this Court dismissing W.P.No.25540 of 2016. The prayer of the appellant, the petitioner therein, was to declare him entitled to compensation of Rs.50,00,000/- from the State of Andhra Pradesh and its authorities in lieu of the mental agony and financial loss suffered by him owing to the failure of the respondents in considering his just claim for promotion to the post of Principal.

The appellant-petitioner admittedly retired from service on 31.03.2014. Prior thereto, he filed O.A.No.8841 of 2011 before the Andhra Pradesh Administrative Tribunal, Hyderabad, assailing the action of the authorities in not considering his claim for promotion to the post of Principal. The O.A. was disposed of by the Tribunal, *vide* order dated 02.08.2013, directing the authorities to consider his claim for promotion as a Principal and to pass appropriate orders as per his seniority and eligibility. It appears that the appellant-petitioner did not take any steps for effective implementation of this order while he was in service.

Having retired from service in 2014, the appellant-petitioner filed W.P.No.25540 of 2016 before this Court directly seeking compensation for being denied promotion to the post of Principal. As rightly pointed out by the learned Judge in the order under appeal, it is not open to the appellant-petitioner, an employee of the Government of Andhra Pradesh, to straightaway approach this Court seeking relief in relation to a service

dispute. The law laid down by the Constitution Bench of Seven Judges in L.Chandra Kumar v. Union of India¹ bars such an endeavour by the appellant-petitioner. We therefore find no grounds to entertain this appeal as the order passed by the learned Judge is perfectly valid and justified.

The writ appeal is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

Date:23.04.2018

GJ

M.GANGA RAO,J



¹ (1997) 3 SCC 261