

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT  
AND  
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No.2694 of 2018**

**ORAL ORDER:** (Per Suresh Kumar Kait, J)

Vide the present petition, petitioner has assailed the order dated 22.09.2017 passed by the Andhra Pradesh Administrative Tribunal at Hyderabad in O.A.No.2528 of 2017, whereby, the application filed by the petitioner under Section 19 of the Administrative Tribunals Act, 1985, to declare the action of the respondents in not considering his case for promotion to the post of Special Grade Municipal Commissioner on regular or ad hoc or temporary basis referring to the disciplinary proceedings initiated against him vide G.O.Rt.No.1552, Municipal Administration and Urban Development (E1) Department, dated 22.11.2012 and G.O.Rt.No.874, Municipal Administration and Urban Development (E1) Department, dated 07.11.2014 issued by the 1<sup>st</sup> respondent as arbitrary, illegal and arbitrary; has been dismissed.

The learned counsel for the petitioner submits that when similar issue had come for consideration in number of writ petitions, this Court directed the respondents to consider the case of the petitioners therein for promotion in terms of G.O.Ms.No.257, General Administration (Ser-C) Department, dated 10.06.1999. The learned counsel placed before this Court a copy of interim order passed by this Court in WPMP Nos.9939 and 10564 of 2017 in W.P.No.8070 of 2017 dated 10.04.2017 and order dated 31.07.2017 in W.P.No.24646 of 2017.

It is not disputed by the learned Government Pleader appearing on behalf of respondents, on advance notice, that the case of the petitioner is squarely covered under G.O.Ms.No.257 dated 10.06.1999.

Accordingly, we hereby set aside the impugned order dated 22.09.2017 passed by the learned Tribunal in O.A.No.2528 of 2017 and consequently direct

the respondents to consider the case of the petitioner in terms of G.OMs.No.257 dated 10.06.1999.

With the above direction, the petition is disposed of. No order as to costs.

Miscellaneous petitions if any pending in the petition shall stand closed.

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SURESH KUMAR KAIT, J

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ABHINAND KUMAR SHAVILI, J

January 31, 2018  
MRR

