

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

W.P.NO.1690 OF 2018

ORAL ORDER (Per the Hon'ble Sri Justice Suresh Kumar Kait)

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.2534 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 Commissioner on regular or *ad hoc* or temporary basis in view of disciplinary proceedings in G.O.Rt.No.448 Municipal Administration & Urban Development (Vig.II-2) Department, dated 29.06.2015, as illegal, arbitrary and unconstitutional and consequently to direct the respondents to consider his case for promotion to the post of Special Grade Commissioner without reference to above disciplinary proceedings; has been dismissed.

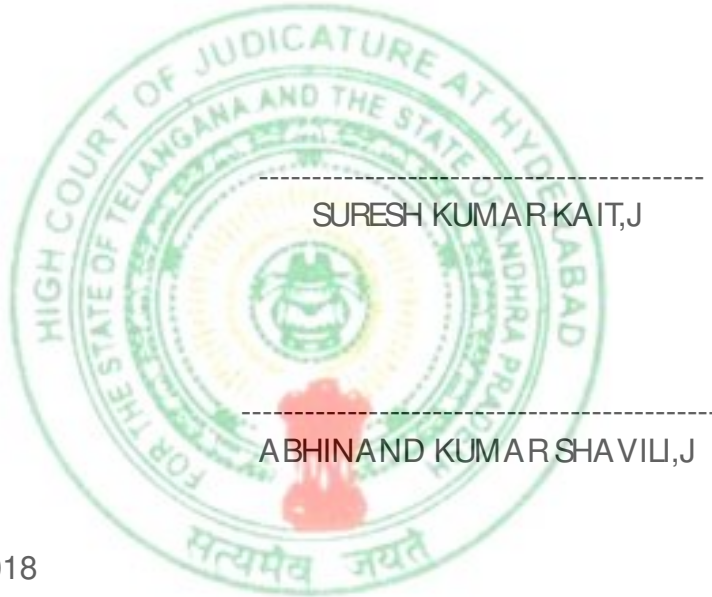
The learned counsel for the petitioner submits that when similar issue came in consideration in number of writ petitions, this court direct the respondents to consider the case of the petitioners therein for promotion in term of G.O.Ms.No.257, General Administration (Ser-C) Department, dated 10.06.1999. The learned counsel placed before this court 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.2534 of 2017 and consequently direct the respondents to consider the case of the petitioner in terms of G.O.Ms.No.257 dated 10.06.1999.

With the above direction the writ petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.



SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVIL, J

DATE: 23—01—2018
AVS