

HON'BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No. 7411 of 2018

ORDER:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ petition is filed challenging the order dated 28.02.2018 in O.A.No. 380 of 2018 passed by the A.P. Administrative Tribunal, Hyderabad, whereby the Tribunal dismissed the Original Application filed by the petitioners under Section 19 of the Administrative Tribunals Act, 1985.

The learned counsel for the petitioners has drawn the attention of this Court to the Proceedings Rc.No.Spl/ C1/ 2017, dated 29.12.2017 whereby the 3rd respondent – Regional Director of Medical and Health Services communicated to all incumbents the provisional seniority list of eligible candidates working in zone-IV for promotion to the post of APMO to DPMO. Further, in remarks column, it is noted that on two occasions the petitioners have forgone promotion as they are not eligible by virtue of G.O.Ms.No. 145.

On receipt of the Proceedings dated 29.12.2017, the petitioners made representations dated 12.01.2018 and 18.01.2018 to the 3rd respondent stating that they never attended counselling for Deputy Para Medical Officers at any time due to non-receipt of intimation. It is further stated that without intimation, nobody can attend the counseling. As stated by the petitioners' counsel, copies of the representations have already been sent to the Director of

Health, Gollapudi, Vijayawada, A.P., however there has been no response from the respondents so far.

Keeping in view the facts and circumstances of the case, without commenting on the order dated 28.02.2018 passed by the Tribunal, we hereby dispose of the writ petition directing the respondents to take decision on the representations dated 12.01.2018 and 18.01.2018 said to have been made by the petitioners, in accordance with law, if not already taken, within a period of two weeks from the date of receipt of a copy of this order, before effecting further promotion to the posts of Deputy Para Medical Officer. It is made clear that if decision has already been taken on the representations, the same shall be communicated to the petitioners. It is needless to state that if the petitioners are still aggrieved by the decision that may be taken by the respondents, the petitioners are at liberty to approach appropriate forum as may be available to them under law.

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

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

07.03.2018

ABHINAND KUMAR SHAVILI, J

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