

**HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.9667 OF 2018**

**ORDER:**

It is the case of the petitioner that he was initially appointed as Forest Beat Officer (FBO) on compassionate grounds in the month of May, 2000 and subsequently, he was promoted as Forest Section Officer (FSO) by direct recruitment as in-service candidate after undergoing due selection process pursuant to the notification issued in the year 2008. That the posts of FSOs and Deputy Range Officer (Dy.R.O) are governed by the Forest Subordinate Service Rules. As per Rule 3 of the said Rules, the post of Deputy Range Officer is to be filled by way of promotion from the cadre of Forester, which is re-designated as F.S.O. As per Rule 5, one must possess minimum general educational qualification and has to successfully undergo the "Full course of Training in Forestry" in Forest School. Though the petitioner is fully qualified to get the promotion as Deputy Range Officer, he was denied promotion only on the ground that he has not undergone full course of training in Forestry and his services are utilized elsewhere. Aggrieved by the same, the petitioner made representation on 24.08.2017 to the 1<sup>st</sup> respondent ventilating his grievances and requested to consider his case for granting notional promotion in terms of G.O.Ms.No.354, dated 11.05.1990. As no action is being taken, present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Services appearing for respondents 1 to 3.

Learned counsel for the petitioner submits that in similar circumstances, the Division Bench of this Court in the judgment reported in **State of A.P and another v. C.Srinivasulu Reddy**<sup>1</sup> held that an employee is entitled to notional promotion when his claim was not considered at the appropriate time in terms of G.O.Ms.No.354, dated 11.05.1990.

Since the grievance of the petitioner is already pending before the competent authority, without expressing any opinion on the merits of the case, the competent authority is directed to consider the representation of the petitioner dated 24.08.2017 in terms of G.O.Ms.No.354, dated 11.05.1990 and take action, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**A.RAJASHEKER REDDY,J**

03-04-2018  
kvs

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<sup>1</sup> 2003 (5) ALD 697 (DB)

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