

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

WRIT PETITION NO.10026 OF 2018

ORDER: (per SK,J)

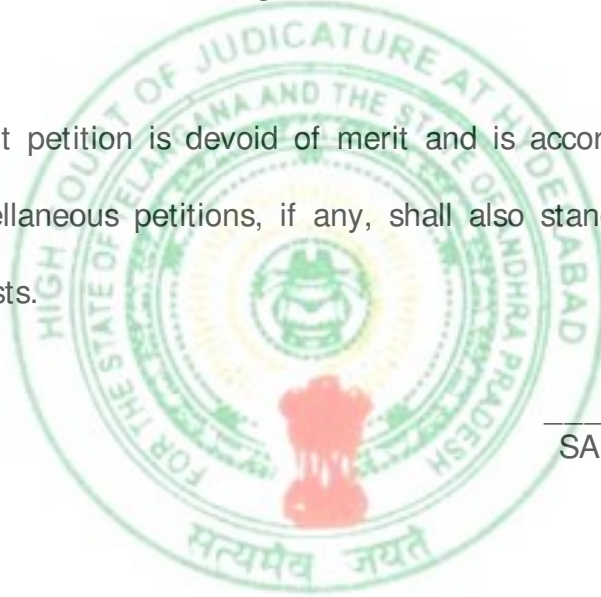
The State of Andhra Pradesh and its officials in the Forest Department are aggrieved by the order dated 27.10.2016 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.7759 of 2013. By the said order, the Tribunal set aside the proceedings dated 25.10.2013 issued by the Conservator of Forests, Kurnool Circle, Kurnool District, whereby the respondent, the applicant in O.A.No.7759 of 2013, was asked to show cause as to why his promotion as Deputy Range Officer during the panel year 2008-09 should not be cancelled and why he should not be reverted back to the post of Forest Section Officer. This show cause notice was occasioned by the fact that though the respondent/applicant was promoted as aforestated under proceedings dated 26.02.2009, he suffered orders in disciplinary proceedings thereafter. Under proceedings dated 22.12.2009, he was visited with the minor penalty of stoppage of one increment without cumulative effect along with recovery of Rs.3,659/- and by order dated 30.08.2013, he was inflicted with the minor penalty of stoppage of one increment without cumulative effect.

Learned Government Pleader for Services, Andhra Pradesh, would fairly state that in so far as punishment order dated 30.08.2013 is concerned, the same was set aside by the Government in appeal. She would also state that in so far as the other penalty order dated 22.12.2009 is concerned, the same was converted into an order of

Censure along with recovery of the sum of Rs.3,659/- by the Principal Chief Conservator of Forests, Andhra Pradesh, in appeal.

Taking note of the fact that these punishments were long after the promotion of the respondent/applicant and the present action in seeking to revert him was also belated, the Tribunal observed that the same could not be sustained as the respondent/applicant, having been promoted in the year 2009, was continuing in the higher post since seven years. This led to relief being granted by the Tribunal as aforestated *vide* its order dated 27.10.2016. This Court finds no grounds to interfere with the well reasoned order of the Tribunal given the facts and circumstances of the case.

The writ petition 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

M.GANGA RAO,J

Date:28.03.2018

GJ