

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.13030 OF 2011

ORDER:

This writ petition is filed seeking to declare the action of the respondents in not considering and appointing the petitioner as Assistant Engineer, by transfer notionally with effect from 1.6.2004, as arbitrary and illegal.

Heard Sri N. Indrasena Reddy, learned counsel for the petitioner and Sri Zakir Ali Danish, learned Standing Counsel for the respondents.

It has been contended by the learned counsel for the petitioner that the petitioner was appointed as a Sub Engineer and he has acquired the B Tech qualification while serving as Sub Engineer. By acquiring B Tech qualification, the petitioner is entitled for appointment by transfer to the post of Assistant Engineer. Persons who were promoted as Assistant Engineers vide proceedings dated 21.4.2004, are all juniors to the petitioner and the case of the petitioner was also considered for promotion to the post of Assistant Engineer after one year from the date of promoting his juniors i.e on 13.6.2005. The petitioner has requested the respondents to promote him, on par with his juniors i.e. with effect from 21.4.2004, and to that effect the petitioner has submitted a representation to the respondents on 15.3.2011, so far the respondents have not passed any orders on the said representation.

This Court having considered the rival submissions made by the parties, is of the considered opinion that the writ petition can

be disposed of directing the respondents to consider the representation dated 15.3.2011, submitted by the petitioner and pass appropriate orders, in accordance with law, within a period of four weeks from the date of receipt of copy of this order.

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

Miscellaneous Petitions, if any pending in this writ petition shall also stand closed.

ABHINAND KUMAR SHAVILI,J

Date:26.09.2018.
Gk.



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