

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

WRIT PETITION No.15850 OF 2018

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The petitioner is the unsuccessful applicant in O.A.No.789 of 2018 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. His prayer therein was to direct the authorities to consider his case for promotion as an Assistant City Planner in the Town and Country Planning Department of the State without reference to the Charge Memo issued under G.O.Rt.No.237 dated 14.02.2008. By order dated 24.04.2018, the Tribunal dismissed the said O.A.

Perusal of the order under challenge reflects that the Tribunal specifically observed that as the enquiry against the petitioner/applicant had been pending for more than two years, G.O.Ms.No.257, General Administration (Services.C) Department, dated 10.06.1999, would apply. The Tribunal further observed that it is for the departmental authority to consider application of the said G.O. to the case of the petitioner/applicant. Surprisingly, having stated so, the Tribunal dismissed the O.A.

Learned Government Pleader for Services, Andhra Pradesh, does not dispute that the aforestated G.O. would apply to the case of the petitioner/applicant.

In that view of the matter, the writ petition is allowed setting aside the order under challenge. The respondent authorities shall consider the case of the petitioner/applicant for further promotion, if he is within the zone of consideration, in strict accordance with the norms laid down in G.O.Ms.No.257 dated 10.06.1999, as and when such promotions are taken up.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

SANJAY KUMAR,J

M. GANGA RAO, J

Date: 30.04.2018
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