

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

WRIT PETITION No.16301 OF 2018

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

The petitioner is the unsuccessful applicant in O.A.No.806 of 2018 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad, which was dismissed by order dated 25.04.2018. His prayer therein was to direct the authorities to consider his case for promotion as a Special Grade Municipal Commissioner without taking into consideration the Charge Memo issued to him *vide* G.O.Rt.No.793, Municipal Administration and Urban Development (Vig.III.1) Department, dated 22.10.2014.

By the order dated 25.04.2018, the Tribunal observed that as the said Charge Memo was issued more than two years ago, G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999, would be relevant and the case of the petitioner/applicant would have to be considered in terms of the guidelines therein. Having stated so, the Tribunal observed that it was not proper for it to prejudge the issue ahead of the Departmental Promotion Committee and dismissed the O.A.

In the light of the observations made in the body of the order under challenge, we are of the opinion that the Tribunal ought not to have dismissed the O.A. It is not in dispute that G.O.Ms.No.257 dated 10.06.1999 would have application to the case of the petitioner/applicant.

In that view of the matter, the writ petition is disposed of setting aside the order under challenge and directing the authorities to consider the case of the petitioner/applicant for promotion to the post of Special Grade Municipal Commissioner, if he is within the zone of consideration, in

accordance with the norms laid down in G.O.Ms.No.257 dated 10.06.1999,
as and when promotions are taken up.

Pending miscellaneous petitions, if any, shall stand closed in the
light of this final order. No order as to costs.

SANJAY KUMAR,J

M. GANGA RAO, J

Date: 01.05.2018
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