

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No. 20699 of 2018

ORDER:- (ORAL)

(Per Hon' ble Sri Justice Suresh Kumar Kait)

This writ petition is filed challenging the order dated 31.10.2017 in O.A.No. 2965 of 2017 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, whereby, the application filed by the petitioner under Section 19 of the Administrative Tribunals Act, 1985, has been dismissed.

The petitioner has questioned the final seniority list, based on which, service records of ten persons were called for promotion to the post of Staff Nurse which is contrary to Rule 3 of the Special Rules for A.P. Medical and Health Services, 1982.

Heard the learned counsel for both the parties and perused the material placed on record.

It is not in dispute that against the final seniority list, the petitioner filed representation dated 24.10.2017 to the 1st respondent and another representation dated 26.10.2017 to the 2nd respondent, however till date, no decision has been taken thereon. Subsequently, based on the final seniority list in question, their temporary promotions have been effected, vide order dated 15.02.2018, therefore, lot of water as already been passed through.

Hence, without commenting on the legality of the order passed by the Tribunal, we hereby grant liberty to the petitioner to file objections/representation to respondent Nos.1 and 2 in respect of final seniority list and the promotion, within one week. On receipt of such objections/representation, respondent Nos.1 and 2 are directed to consider the representation and pass appropriate orders thereon, within a period of three weeks thereafter, and the decision taken shall be communicated to the petitioner in writing within one week. It is made clear that till the decision is taken by respondent Nos.1 and 2, regular promotions shall not be effected.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

21.06.2018

SURESH KUMAR KAIT, J

bcj

ABHINAND KUMAR SHAVILI, J