

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22058 OF 2018

DATED :30.08.2018

Between :

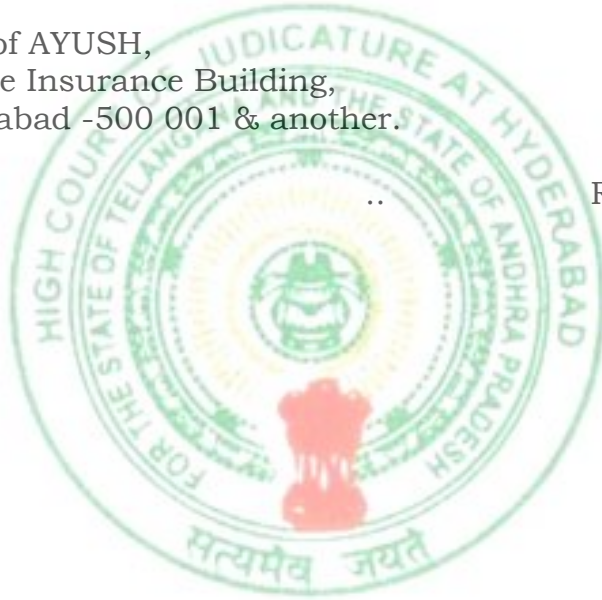
Dr. R. Venkateshwar Rao,
S/o.R.Kistaiah, Aged 57 yrs,
Occu : Research Officer (Ayu),
Govt. Research Dept., (Ayu),
R/o.Plot No.82, VK Dhage Nagar,
Gaddiannaram, Hyderabad.

.. Petitioner

And

The Director,
Department of AYUSH,
5th floor, State Insurance Building,
Abids, Hyderabad -500 001 & another.

.. Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22058 OF 2018

ORDER :

Heard learned counsel for the petitioner and learned Assistant Government pleader for Services -II for learned Government pleader for Medical Health and Family Welfare for respondents.

2. This writ petition is filed claiming that petitioner is eligible to be promoted as Principal in the Government Ayurvedic College at Warangal and not considering the petitioner for promotion is arbitrary and illegal.

3. According to learned counsel for petitioner, petitioner is working as Research Officer, for a long time and is eligible and suitable for promotion. He is due for retirement on 30.09.2018. Even though there is vacancy available and petitioner is fully qualified, he is not considered for promotion.

4. When the matter is taken up for consideration, learned Assistant Government Pleader, on instructions, submits that on 18.04.2018 a common seniority list of Research Officers, Professor for Under Graduation, Reader of Post Graduation were drawn and communicated. Petitioner has also filed objections on 29.04.2018 on the placement assigned to him. In the said list the name of petitioner is shown against Sl.No.7 and there are six more persons above the petitioner. Therefore, petitioner cannot be granted promotion.

5. The factum of service of provisional seniority list is not denied. Furthermore, according to Special Rules governing the post of Principal there are three feeder cadres i.e., Professor of Under Graduation, Reader of Post Graduation and Research Officer. As there are three different feeder cadres, promotion can be affected based on the common seniority list. According to learned Assistant Government pleader, common seniority list was drawn on 18.04.2018 and in the said list petitioner stands at Sl.No.7. That being so no direction as sought for, by the petitioner can be granted.

6. Accordingly, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

30th August, 2018
Rds

P.NAVEEN RAO,J

