

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.11906 of 2005

ORDER:

1. When this matter is taken up for hearing, the learned Counsel for the petitioner submits that this writ petition is filed by the petitioner challenging the action of the 1st respondent in promoting respondents Nos.2 to 5 to the clerical cadre from the category of messenger. He further submits that respondents Nos.2 to 5 were promoted contrary to law laid down by the Hon'ble Supreme Court in **B.V. Sivaiah & Others Vs. K. Addanki Babu & Others**¹, and therefore, appropriate orders may be passed directing the 1st respondent to follow the principles laid down by the Hon'ble Supreme Court in the above referred case.

2. Having considered the above submission, this Court is of the view that this writ petition can be disposed of directing the petitioner to submit a fresh representation seeking his claim for promotion on par with respondents Nos.2 to 5.

3. Accordingly, the Writ Petition is disposed of directing the petitioner to submit a fresh representation to the 1st respondent seeking his claim for promotion on par with respondents Nos.2 to 5, within a period of two weeks from the date of receipt of a copy of this order. On such application being made, the 1st

¹ 1998(6) SCC 720

respondent shall consider the same and pass appropriate orders, in accordance with law. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

20th December, 2018
Nn



HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



Writ Petition No.11906 of 2005
(disposed of)

20th December, 2018

Nn