

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

WRIT PETITION No.29790 OF 2018

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

The petitioner is the applicant in O.A.No.298 of 2018 on the file of the Andhra Pradesh Administrative Tribunal (for brevity, 'the Tribunal'), Hyderabad. His prayer in the said O.A. was to declare the action of the Commissioner of Employment and Training, Andhra Pradesh, in not considering his representations, the latest being the one dated 29.01.2018, and passing orders thereon as illegal and arbitrary. The representations were made in relation to the promotion of the petitioner to the post of Assistant Training Officer with effect from 27.08.2012. The petitioner filed M.A.No.175 of 2018 seeking condonation of the delay of three years seven months and twenty days in the presentation of the O.A. By order dated 27.07.2018, the Tribunal dismissed the M.A. and consequently the O.A. also.

Perusal of the order under challenge reflects that the petitioner claimed promotion to the subject post with effect from 27.08.2012 but he was actually promoted thereto on 29.06.2013.

Though Sri S.Gopal Rao, learned counsel for the petitioner, would contend that several representations were made to the authorities even at that time, we find that the copies thereof placed before this Court do not bear any evidence of the authorities having actually received the same. The Tribunal was of the opinion that the first representation made by the petitioner was only in April, 2015, nearly two years after his own promotion. Even if the petitioner did make representations time and again, the fact remains that he took no concrete measures to have his grievance addressed and waited till 2018 in relation to a cause which was

available to him in 2012. This delay, which remains unexplained, is unconscionable and we find no error in the Tribunal holding to that effect and non-suiting the petitioner.

The writ petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

Dt: 23.08.2018
PGS/IBL

M. GANGA RAO, J

