

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

WRIT PETITION No.30132 OF 2018

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

The petitioner is the applicant in O.A.No.1587 of 2018 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. He is aggrieved by the dismissal of the said O.A. *vide* order dated 08.08.2018. His prayer therein was to consider his case for promotion as a Superintending Engineer without reference to the charges framed against him *vide* G.O.Rt.No.863 dated 12.12.2017. By the order under challenge, the Tribunal opined that as the charges were framed on 12.12.2017, two years had not elapsed for the petitioner/applicant to seek consideration of his candidature for promotion in terms of G.O.Ms.No.257, General Administration (Ser-C) Department, dated 10.06.1999.

This Court had occasion to consider a similar issue in W.P.No.28886 of 2018, which was allowed on 21.08.2018, and found that G.O.Ms.No.257 dated 10.06.1999 does not stipulate lapse of two years as a condition precedent before a charged employee's candidature can be considered for further promotion.

Learned Government Pleader for Services, State of Andhra Pradesh, also concedes this position fairly.

In that view of the matter, the writ petition is disposed of directing the respondents to consider the candidature of the petitioner for promotion as a Superintending Engineer as and when such promotions are taken up in accordance with the provisions of G.O.Ms.No.257 dated 10.06.1999.

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

Dt: 27.08.2018

Note:-

Issue CC by 29.08.2018.

(B/o)

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