

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

WRIT PETITION No. 31350 OF 2018

ORDER: *(Per Hon'ble Sri Justice Sanjay Kumar)*

The prayer of the petitioners in this case reads as under:

“For the reasons stated in the accompanying affidavit it is prayed that this Hon'ble Court may be pleased to issue any appropriate Writ, order or direction more in the nature of Writ of Certiorari calling for the records relating to the order of the Hon'ble AP Administrative Tribunal, Hyderabad dated 8-8-2018 in OA No 1461 of 2018 and set aside the same as illegal, bad and arbitrary and consequently direct the Respondents to consider the case of the Petitioners for promotion in the up-graded posts of School Assistant (Languages) as per the orders issued by the 1st Respondent vide Memo No. 705557/D1/2017-1 dated 24-10-2017 as was done in case of Physical Education Teachers who were promoted in the up-graded posts of School Assistants (Physical Education) with all consequential benefits by duly declaring the action of the Respondents in not filling up the up-graded posts of School Assistants (Languages) and also in not considering the case of the petitioners promotion in the up-graded posts as was done in case of upgraded posts of School Assistants (Physical Education) is illegal, arbitrary, discriminatory and violative of Articles 14 and 16 of Constitution of India and pass such further or other orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. While so, it is now brought to our notice by Ms. B.Rajeswari, learned counsel representing Mr. M.Naga Raghu, learned counsel for the petitioners that the Government of Andhra Pradesh issued Memo No. C-573468/D1/2018 dated 20.11.2018 permitting the filling up of the upgraded posts of School Assistant (Languages) in Municipal Schools with Grade-II Language Pandits as per the Government Memo dated 24.10.2017, subject to the outcome of pending court cases, if any, on the subject. The Director of Municipal Administration, Andhra Pradesh, was requested to

take necessary further action in the matter. Thereupon, the Director of Municipal Administration, Andhra Pradesh issued letter in Roc.No.3276/2017-J3 dated 23.11.2018, addressed to all the Regional Directors-cum-Appellate Commissioners of Municipal Administration at Visakhapatnam, Rajamahendravaram, Guntur and Ananthapuramu, apart from the Commissioners of GVMC and VMC, referring to the aforestated Government Memo dated 20.11.2018 and requiring all the Regional Directors-cum-Appellate Commissioners of Municipal Administration and the Commissioners of GVMC and VMC to take necessary further action for effecting 100% promotions to the 610 upgraded posts of School Assistant (Languages) with Grade-II Language Pandits who were eligible and qualified as per the existing Municipal Teachers Service Rules, 2016. He further stated that the matter was to be treated as "Top Priority" and the promotion process has to be completed as per the schedule mentioned by him without any deviation in the matter.

3. Ms. B.Rajeswari, learned counsel, would state that in the light of this development, the grievance of the petitioners would stand settled as they are all Language Pandits who are seeking appointments as School Assistants.

4. In that view of the matter, the order dated 08.08.2018 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad in O.A.No.1461 of 2018 is set aside and the respondents are directed to consider the candidature of the

petitioners also in terms of the aforestated Government Memo dated 20.11.2018 and the communication dated 23.11.2018 of the Director of Municipal Administration, Andhra Pradesh.

5. The Writ Petition is disposed of with the above direction. 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

Date: 29.11.2018

Note: Issue C.C. within three (3) days.

B/o
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29th day of November, 2018

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