

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

WRIT PETITION NO.36172 OF 2018

ORDER: (per SK,J)

The petitioner is the applicant in O.A.No.1387 of 2018 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. His grievance therein was with regard to the action of the authorities in promoting the sixth respondent as an Assistant Sub-Inspector (Civil) under proceedings dated 25.09.2017. He also adverted to the fact that he had filed an appeal in relation to this issue before the Deputy Inspector General of Police, Ananthapuramu, and complained the same had not been disposed of till date. By order dated 17.07.2018, the Tribunal dismissed the O.A. leaving it open to the petitioner-applicant to file an appeal questioning the orders passed in favour of the sixth respondent.

In the light of the order that we propose to pass without going into the merits of the matter, we deem it unnecessary to put the sixth respondent on notice or afford him an opportunity of hearing.

It appears that the Tribunal completely lost sight of the fact that the petitioner-applicant already filed an appeal before the appellate authority, the Deputy Inspector General of Police, Ananthapuramu. This is clear from the fact that the petitioner-applicant addressed a reminder on 28.03.2018 to the appellate authority referring to his appeal filed on 17.03.2018 and requiring the appellate authority to consider his claim and pass appropriate orders. In spite of the appeal having been preferred, it appears that the appellate authority has not yet passed orders thereon. As the appellate authority is yet to apply its mind to the issue, we are of the

opinion that it would be wholly premature for this Court to go into the merits of the matter.

The writ petition is accordingly disposed of setting aside the order dated 17.07.2018 passed by the Tribunal in O.A.No.1387 of 2018 and directing the Deputy Inspector General of Police, Ananthapuramu, the appellate authority, to pass appropriate orders in the appeal on merits and in accordance with law. This exercise shall be completed expeditiously and in any event, within four weeks from the date of receipt of a copy of this order.

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:05.10.2018

GJ