

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.36768 OF 2018

DATED :12.10.2018

Between :

Malkani Nituben Bhojraj, S/o.Bhojraj Malkani,
Aged about 39 yrs, Assistant Director,
O/o.District Insurance Office, Hyderabad & another
.. Petitioners
And

The Director of Insurance,
State of Telangana, Insurance Building,
Tilak Road, Abids, Hyderabad & others.

Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioners and learned Government pleader for respondents 1 and 2.

2. Petitioners are the direct recruitees to the post of Assistant Director of Insurance. They have the grievance against not following the Quota system for direct recruitment and making excess promotions. According to petitioners they were ignored for promotion as Deputy Directors when due because of illegal promotions granted in the cadre of Assistant Directors in excess of quota meant for promotions and further steps are now being taken to affect promotions to the post of Joint Directors, causing undue hardship and suffering to the petitioners.

3. The material on record would disclose that on the representations submitted by the petitioners, the Director of Insurance passed orders on 05.03.2018 informing them the various steps taken and that the quota system is not violated. The said order is impugned in this writ petition.

4. Petitioners preferred appeals before the Government against the said order and the same are stated to be pending with the Government.

5. Having regard to the above, without entering into merits of the contentions urged, the Writ Petition is disposed of directing the Principal Secretary, Finance Department-2nd respondent to examine the contentions urged by the petitioners in their appeals dated 04.04.2018, 06.08.2018 and 20.08.2018. However, if the 2nd respondent is *prima-facie* in agreement with

the contentions urged, he shall also cause notice on the affected parties, afford due opportunity to the petitioners and rival claimants and pass orders by assigning due reasons in support of the decision. The said exercise shall be completed within a period of two (2) months from the date of receipt of copy of this order. In the meantime, if promotions are affected, the same shall abide the result of the order in appeals. The 2nd respondent, if necessary, may undertake review of promotions made in the event the appeals preferred by the petitioners are allowed. It is also made clear that there is no expression of opinion on merits and all the parties can raise all pleas as available in law. Pending miscellaneous petitions shall stand closed.

12th October, 2018
Rds

P.NAVEEN RAO,J

