

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

WRIT PETITION No.43095 OF 2018

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

The petitioners are the unsuccessful applicants in O.A.No.5679 of 2015 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. The petitioners filed the said O.A., along with respondents 5 to 16 herein, assailing the inaction on the part of the authorities in considering their cases for promotion to the post of Village Revenue Officers under 30% quota meant for promotees as per G.O.Ms.No.39 dated 11.01.2008 and G.O.Ms.No.458 dated 18.05.2010. They sought a consequential direction to the authorities to consider their cases in terms of the aforestated G.Os. under the 30% quota. By order dated 12.10.2018, the Tribunal dismissed the O.A.

It appears that interim order dated 30.09.2015 was passed in the O.A. permitting the petitioners-applicants to make a fresh representation to the District Collector, Prakasam District, and directing consideration of the representation by the said authority in terms of G.O.Ms.No.458 dated 18.05.2010 within a time frame. Alleging non-compliance with this order, the petitioners-applicants filed Contempt Application No.439 of 2016 before the Tribunal. Therein, the Tribunal directed the District Collector, Prakasam District, to constitute a Committee to look into the issue relating to the vacancies available. Pursuant thereto, a Committee was constituted and it submitted its report dated 23.03.2017 to the effect that the 30% quota meant for promotees in terms of the relevant Government Orders had already been filled up and that the petitioners-applicants did not come within the zone of consideration to be promoted. The report seems to be

to the effect that vacancies in the post of Village Revenue Officer were filled in excess with this category of promotees.

The report dated 23.03.2017 is not placed on record.

Sri S.Gopal Rao, learned counsel for the petitioners-applicants, would fairly state that a copy of the said report was not even obtained by his clients during the pendency of the O.A.

Perusal of the order under challenge reflects that the Tribunal took note of the said Committee report and in the light of the findings rendered therein, it opined that the petitioners-applicants were not entitled to any relief and dismissed the O.A. When the petitioners-applicants did not even take the trouble to obtain a copy of the Committee report dated 23.03.2017, which was adverse to their interest and on the basis of which their Contempt Application was closed, we can find no error having been committed by the Tribunal in dismissing the O.A. on the strength of the said report.

The writ petition is devoid of merit and is accordingly dismissed. This order shall however not preclude the petitioners-applicants from taking appropriate steps in accordance with law, if they are aggrieved by the findings recorded in the Committee report dated 23.03.2017.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

SANJAY KUMAR, J

M. GANGA RAO, J

Date: 28.11.2018
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