

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.42789 OF 2017

ORDER:

This Writ Petition is filed challenging the impugned proceedings issued by the 1st respondent in Memo No.9458/E1/2017, dated 09.11.2017 wherein and whereby the petitioner's case for promotion in the existing vacancy in pursuant to interim orders dated 06.09.2017 in W.P.No.29194 of 2017 is rejected on the ground that the petitioner is lacking five years of teaching experience in the concerned subject as on 31.08.2016.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Services.

Learned counsel for the petitioner, who submits that out of four persons mentioned in the G.O.Ms.No.109, Health, Medical Family Welfare (E1) Department, dated 29.06.2017, the 2nd person i.e., Dr.Farhat Ara, retired on 31.07.2017 itself of the same subject that of the petitioner. Since the petitioner is claiming promotion in the exiting vacancy for the year 2017-18 and by that time, petitioner had completed five years of teaching experience, respondents could not have rejected the case of the petitioner holding that he is not having five years of teaching experience as on 31.08.2016. He submits that the petitioner is seeking promotion for the years 2017-18.

In this case, it is not in dispute that the petitioner has completed five years of teaching experience as on 31.08.2017

and petitioner is only seeking promotion for the year 2017-2018, as such, rejection of the case of the petitioner for promotion in existing vacancy is erroneous.

Accordingly, this Writ Petition allowed setting aside the impugned order of the 1st respondent dated 09.11.2017 and the respondents are directed to consider the case of the petitioner for promotion, in accordance with the Rules. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any pending in this writ petition shall stand closed.

19-03-2018
kvs



A.RAJASHEKER REDDY,J

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