

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.5344 of 2019

ORDER:

This writ petition is filed seeking the following relief :-

“ to issue a Writ, order or direction, more particularly one in the nature of a Writ of Mandamus directing the respondents to consider and promote petitioner for promotion to the post of Office Superintendent, a non-selection post without reference to the Article of Charges issued in Ref No 474/ 2017/ M4 dated 10.02.2017 by the third respondent as per guidelines issued in G.O.Ms.No.257 dated 10.06.1999 and as per Rule 5 (b) of Telangana State and Subordinate Service Rules, 1991 applicable for non-selection post as there is no penalty against petitioner as on today.... ”.

Heard Mr.G.Raman Goud, learned counsel for petitioner and the learned Government Pleader for Forest.

It has been contended by the petitioner that he is working as Senior Assistant and he is fully eligible and qualified to be promoted to the post of Superintendent.

The grievance of the petitioner is that the respondents are not considering his case for promotion to the post of Superintendent on the ground that Article of Charge dated 10.02.2017 is pending against him.

Learned counsel for petitioner contended that the State Government has framed guidelines in G.O.Ms.No.257 dated 10.06.1999 to consider the cases of employees for promotion against whom disciplinary proceedings/criminal proceedings are pending. As per G.O.Ms.No.257 dated 10.06.1999, the competent authority must consider the cases of employees against whom disciplinary proceedings/criminal proceedings are pending and

pass appropriate orders as to whether they are eligible for promotion. But, in the instant case, the respondents are not considering the case of petitioner for promotion to the post of Superintendent in terms of G.O.Ms.No.257 dated 10.06.1999. Therefore, learned counsel for petitioner contends that appropriate orders be passed directing the respondents to consider the case of petitioner for promotion to the post of Superintendent in terms of G.O.Ms.No.257 dated 10.06.1999 and pass appropriate orders.

Learned Government Pleader appearing for respondents has contended that the case of the petitioner will be considered in terms of G.O.Ms.No.257 dated 10.06.1999 and appropriate orders would be passed.

This Court, having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the respondents to consider the case of petitioner for promotion to the post of Superintendent in terms of G.O.Ms.No.257 dated 10.06.1999 and pass appropriate orders within six weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 14-03-2019
Prv

