

**HONOURABLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT APPEAL No.522 OF 2018

JUDGMENT: (ORAL) (Per the Hon'ble Sri Justice Thottathil B.Radhakrishnan)

Heard.

2. We have looked into the material papers and the impugned order.

3. This intra court appeal is against an interlocutory order passed by the learned Single Judge. The learned Single Judge was considering the writ petition whereby challenge was levied to the action of respondent No.7 in the writ petition in having issued order dated 02.03.2017, whereby even without amending the A.P. State and Subordinate Service Rules, 1996, promotions were attempted to be made denying seniority of the promoted candidates. The learned Single Judge relied on the ratio of the judgment of the Apex Court in **B.K.Pavitra vs. Union of India**¹.

4. We do not see any ground to interfere in this intra court appeal, but to leave the appellants with liberty to move a vacate stay petition before the learned Single Judge. This is all the more because there is no interlocutory order granted in this writ appeal.

¹ (2017) 4 SCC 620

5. Hence, preserving all contentions of the parties and with liberty to the appellants to file vacate stay petition, the writ petition is dismissed. No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any pending, stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

A.RAJASHEKER REDDY, J

February 6, 2019

PV/LRKM