

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.15514 of 2019

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking a writ of Mandamus, directing the respondents to conduct DPC for the panel year 2018-19 for the post of Agriculture Officer by considering the eligible candidates, including the petitioners, and make promotions to the said post based upon the report by holding the action of the respondents in initiating the process of promotion for the panel year 2018-19 way back in August, 2018 and not taking further steps even after final seniority list has been issued in September, 2018 as rectified in November, 2018 and not conducting the DPC despite the representations of the petitioners only with a view to wait for the originally ineligible candidates, who brought about pressure on the department and became eligible from 05.09.2018, to become eligible by 01.09.2019, as bad, illegal, arbitrary, discriminatory, unjust, unconstitutional and contrary to spirit of Rule 6 of A.P. State and Sub-ordinate Service Rules.

Heard Sri J. Sudheer, counsel for petitioners, and the Government Pleader appearing for the respondents.

It has been contended by the petitioners that they are fully eligible and qualified to be promoted to the post of Agriculture Officer and though there are vacancies in the said post, the respondents are not filling up the said posts by way of conducting DPC for the panel year 2018-19.

It is further submitted that the Agriculture Extension Officers who are possessing the qualification of B.SC (Vocational) Dry Land Agriculture i.e., a three years Degree Course, are not eligible for promotion to the post of Agriculture Officer, but however, on the pressure exerted by them, the State Government had issued G.O.Ms.No.95 dated 05.09.2018 making Grade-I and Grade-II Agriculture Extension Officers having qualification of B.SC (Vocational) Dry Land Agriculture also eligible for promotion to the post of Agriculture Officer, and the said G.O was kept in abeyance by G.O.Ms.No.102 dated 03.12.2018.

Counsel for the petitioners submits that a batch of writ petitions was filed by B.Sc (Agriculture) Degree candidates, who were working as Agriculture Extension Officers, challenging G.O.Ms.No.95 dated 05.09.2018. Counsel further submits that the Government, on its own, has kept G.O.Ms.No.95 dated 05.09.2018, in abeyance vide G.O.Ms.No.102 dated 03.12.2018.

The grievance of the petitioners is that the respondents are not undertaking the exercise of giving promotions to the post of Agriculture Officer. In those set of circumstances, the petitioners have submitted representation to the respondents on 19.06.2019, but so far, the respondents have not passed any orders on the said representation nor considering the case of the petitioners for promotion to the post of Agriculture Officer.

Therefore, counsel for the petitioners submits that appropriate orders be passed in the writ petition directing the respondents to consider

the case of the petitioners for promotion to the post of Agriculture Officer by duly passing appropriate orders on the representation submitted by the petitioners.

Government Pleader appearing for the respondents had submitted that the case of the petitioners would be considered and appropriate orders would be passed on the representation submitted by the petitioners in accordance with Rules.

This Court, having considered the rival submissions made by the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioners on 19.06.2019 and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

24th July, 2019
v v