

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.15682 of 2019

ORDER:

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

This writ petition is filed seeking the following relief :-

“.... to issue an order, direction or writ more particularly in the nature of writ of mandamus declaring inaction of the respondent No.1 on his appeal filed aggrieved by rejection of his requisition to assign him notional seniority in the cadre of Sub-Inspector of Police (SPF) on par with 2008 batch appointees rejected by Respondent No 2 vide Memo dated 13.05.2014 bearing Rc.No.A1/ SPF/ 60/ Seniority/ objections/ S Is/ 2014 as arbitrary and violative of principles of natural justice, infringing the right of petitioner made there under and consequently direct the respondent No 1 to dispose of his appeal preferred seeking to assign notional seniority to the petitioner on par with 2008 batch appointees with in a stipulated time period”.

Heard Mr.D.V.Sudhir Kumar, the learned counsel for petitioner and the learned Government Pleader for Home.

It has been contended by the petitioner that he was appointed to the post of Sub-Inspector of Police during December, 2007 and while undergoing training, he has suffered an injury and he was referred to the Osmania General Hospital for treatment and after taking treatment for 45 days, he has reported to the Training programme, but, his name was deleted from the training programme and he was sent for training in the next batch and consequently, he has lost seniority on par with his batchmates. Aggrieved by the same, the petitioner has submitted a representation to the 2nd respondent requesting to assign notional seniority along with batchmates of 2008, but the 2nd respondent has rejected the case of the petitioner. Aggrieved by the same, the

petitioner has preferred an appeal during the year 2015. But, so far, the respondents have not passed any orders on the said appeal.

Learned counsel for the petitioners submits that appropriate orders be passed in the writ petition directing the 1st respondent to consider and dispose of the appeal preferred by the petitioner during the year 2015.

Learned Government Pleader appearing for the respondents has contended that the case of the petitioner will be considered and appropriate orders would be passed on the appeal preferred by the petitioner in accordance with the Rules.

This Court, having considered the rival submissions, is of the considered view that this writ petition can be disposed of directing the 1st respondent to consider and dispose of the appeal preferred by the petitioner within four weeks from the date of receipt of a copy of this order.

From a perusal of the copy of the appeal filed along with the writ petition, it is evident that no date or acknowledgment is furnished in the copy of appeal. If the 1st respondent has received the appeal, then only the 1st respondent would pass orders. If no appeal is preferred by the petitioner, the 1st respondent need not pass any orders pursuant to the above direction.

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: 25-07-2019
Prv

