

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.18266 of 2019

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Services-II. With the consent of learned counsel for the respective parties, this Writ Petition is disposed of at the admission stage.

This writ petition is filed seeking the following relief :-

“.....writ of mandamus declaring the action of the respondents in initiating and continuing the disciplinary proceedings against the petitioner pursuant to the Charge Memo Vide No.2908/CPR&RE/E1/2013 dt.06.12.2015 issued by the 2nd respondent as being arbitrary, illegal, unjust, discriminatory and violative of Article 14, 16 and 21 of the Constitution of India besides being violative of the mandatory provision of Rule 20 of the APCS CC and A Rules 1991 and also violative of the Government orders issued vide G.O.Ms.No.679 dated 01.11.2008 consequently hold that the petitioner is entitled for promotion to the post of Extension Officer with all consequential benefits and pass such other order.....”

It has been contended by the petitioner that she is working as Panchayat Secretary Grade-I at Dornakal, Mahabubabad District and is fully eligible and qualified to be promoted to the post of Extension Officer.

The grievance of the petitioner is that the respondents are not considering her case for promotion to the post of Extension Officer on the ground of pendency of disciplinary proceedings against her in Charge Memo

No.2908/CPR&RE/E1/2013 dt.06.12.2015 issued by the 2nd respondent.

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 Extension Officer in terms of G.O.Ms.No.257 dated 10.06.1999. Therefore, learned counsel for petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for promotion to the post of Extension Officer 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 this writ petition can be disposed of directing the respondents to consider the case of the

petitioner for promotion to the post of Extension Officer in terms of G.O.Ms.No.257 dated 10.06.1999 and pass appropriate orders within a period of eight 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 SHAVILI, J

Date: 22-08-2019
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