

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.20389 OF 2019

Date:18.09.2019

Between:

K. Kumara Swamy, S/o. Jeedaiah,
Aged about 50 years, Occ: Assistant
Sub Inspector of Police, Special Branch,
Mahabubabad, Mulugu District

.. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Home Department,
Secretariat, Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.20389 OF 2019****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Home appearing for the respondents.

2. Petitioner succeeded before the Andhra Pradesh Administrative APAT, Hyderabad, (for short 'the APAT) in O.A.No.4528 of 2013 filed by him claiming for promotion. Following the earlier judgment in O.A.No.1777 of 2011 and batch, the said O.A. was allowed. Challenging the order of APAT in O.A.No.1777 of 2011 and batch, W.P.No.39606 of 2012 and batch were filed by respondents therein. The said Writ Petitions were dismissed by this Court. It appears, review petitions are filed in some cases and are pending. No Writ Petition is filed against the decision in O.A.No.4528 of 2013 and the decision of the APAT has become final. However, the claim for promotion was not granted on the ground that review petition is pending consideration of this Court in above referred Writ Petitions. Several similar Writ Petitions are filed seeking implementation of the directions of the APAT affirmed by this Court. Pursuant to the interim directions granted by this Court in I.A.No.1 of 2019 in W.P.No.10329 of 2019, the request of the petitioners therein was rejected by the order impugned on the ground that the review petition is pending.

3. According to learned counsel for the petitioner, in view of the orders in W.P.No.199 of 2019, petitioner therein was granted promotion by order dated 11.07.2019 and petitioner herein is similarly situated.

4. The said fact is not denied by learned Government Pleader for Home and agrees for disposal of this Writ Petition also in terms of order in W.P.No.199 of 2019, dated 11.07.2019.

5. In view of the same, the Writ Petition is allowed and the impugned proceedings are set aside. The respondents are directed to consider the claim of the petitioner in accordance with the judgment rendered by the APAT in O.A.No.4528 of 2013, if the petitioner is similarly situated to that of Mr. M. Prabhakar Raju in whose favour the orders were passed on 11.07.2019. However, no equities would accrue to the petitioner merely because he is promoted and such promotion shall abide result of review petitions. Pending miscellaneous petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:18.09.2019

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