

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NOs.20880, 21918, 21961 & 22013 OF 2019

Date: 14.10.2019

W.P.No.20880 of 2019 :

Between:

R.Srihari S/o.Raghavaiah,
Aged about 55 yrs, Occu : Armed Reserve Assistant,
Sub-Inspector of Police,
O/o.Superintendent of Police,
Rural, Warangal, Warangal District.

.....Petitioner

And

The State of Telangana,
Rep, by its Principal Secretary,
Home Department,
Secretariat, Hyderabad & others.

.....Respondents



The Court made the following:

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COMMON ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Home.

2. In W.P.Nos.21918, 22013 and 21961 of 2019, petitioners are working as Assistant Sub-Inspector of Police in Civil Police and are seeking promotion as Sub-Inspector of Police (Civil). Petitioner in W.P.No.20880 of 2019 is working as Assistant Sub-Inspector of Police, in Armed Reserve and is seeking promotion as Sub-Inspector of Police (Armed Reserve).

3. Petitioners in the first three writ petitions working in Civil Police, filed O.A.Nos.3297, 2416 and 3294 of 2011 praying to grant direction to regularize their services in the category of Head Constables from the date of their promotion on out of seniority basis with all consequential benefits. These three writ petitions were heard with O.A.No.1777 of 2011 and batch and by common order dated 19.01.2012, all the O.As, were allowed by the Hon'ble Andhra Pradesh Administrative Tribunal (for short 'the APAT') following the earlier direction in O.A.No.1627 of 2011. Challenging the directions issued by APAT the respondent-State filed W.P.No.18101, 24590 and 24593 of 2016 respectively. The said writ petitions are stated to be pending before this Court. It is asserted that this Court dismissed the interlocutory applications to stay the operation of Judgment rendered by APAT.

4. The petitioner in W.P.No.20880 of 2019 filed O.A.No.3991 of 2013 seeking similar relief in Armed Reserve. Following the judgment in O.A.No.1777 of 2011 and batch dated 19.01.2012, the said O.A., was allowed by order dated 03.06.2013. Aggrieved thereby the State preferred W.P.No.13077 of 2016 before this Court. It is asserted that the interlocutory application filed to grant the stay was dismissed by this Court and the writ petition is pending.

5. Petitioners filed these writ petitions praying to implement the directions issued by the APAT in the Original Applications filed by them which were affirmed by the Division Bench of this Court. Earlier Sri M.Prabhakar Raju filed W.P.No.199 of 2019 praying to implement the directions of the APAT as affirmed by this Court. The plea raised by the respondents-authorities was that review petitions filed in the writ petition are pending and therefore, the respondents-Police would implement the directions of the APAT only after the decision in the review petitions. The said plea was not accepted and Writ Petition was disposed of directing the respondents to implement the directions of the Tribunal. In compliance thereof, orders were passed on 11.07.2019 granting promotion to the petitioner therein.

6. Having regard to the contention of learned counsel for the petitioners that they are similarly situated and this Court dismissed the interlocutory applications and the writ petitions are pending and in the similar writ petition, directions are issued, these Writ Petitions are also disposed of directing the respondent authorities to consider the claim of petitioners in W.P.Nos.21918, 22013 and 21961 of 2018 for promotion to the post of Sub-

Inspector of Police (Civil) and petitioner in W.P.No.20880 of 2019 for promotion to the post of Armed Reserve Sub-Inspector, if they are similarly situated to that of Mr. M.Prabhakar Raju who filed W.P.No.199 of 2019 without waiting for disposal of review petitions filed in earlier cases. However, it is made clear that no equities can be claimed by the petitioners, if review petitions filed by the State in the earlier writ petitions are allowed. Pending miscellaneous petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Dt.: 14.10.2019
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