HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.40072 of 2018

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the action of 3rd respondent in not considering the case of the petitioner for promotion to the post of Deputy Range Officer from the post of Forest Section Officer as per G.O.Ms.No.257 dated 10.06.1999 as illegal and arbitrary and sought a consequential direction to the respondents to promote the petitioner to the post of Deputy Range Officer as per G.O.Ms.No.257, dated 10.06.1999.

Heard Sri K.L.Manohar, learned counsel for petitioner and the learned Government Pleader for Services-I.

It has been contended by the petitioner that he is working as Forest Section Officer and he is fully eligible and qualified to be promoted to the post of Deputy Range Officer.

The grievance of the petitioner is that the respondents are not considering his case for promotion to the post of Deputy Range Officer on the ground that disciplinary proceedings are pending against him.

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 Deputy Range Officer in terms of G.O.Ms.No.257 dated 10.06.1999. Therefore, learned counsel for petitioner contends that appropriate orders be passed directing the respondents to consider the case of petitioner for promotion to the post of Deputy Range 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 the writ petition can be disposed of directing the respondents to consider the case of petitioner for promotion to the post of Deputy Range Officer in terms of G.O.Ms.No.257 dated 10.06.1999 and pass appropriate orders within a period of four 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.

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ABHINAND KUMAR SHAVILI, J

Date: 25-04-2019
v v

HIGH COURT FOR THE STATE OF TELANGANA
HYDERABAD