

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.3220 OF 2020

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“Hence, It is therefore prayed that, this Hon’ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the Respondents in not considering the case of the Petitioner for promotion to the post of Administrative Officer, on the ground of pendency of disciplinary proceedings and making inordinate delay in concluding the disciplinary proceedings as illegal, arbitrary, discriminatory and violative of Articles 14 & 16 of the Constitution of India and consequently, direct the Respondents to promote the Petitioner to the post of Administrative Officer, as per his seniority, without reference to the disciplinary proceedings pending against him, from the date of his eligibility, with all service and monetary benefits and to pass any such order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. Heard Sri P.Bhanu Prakash, learned counsel appearing for the petitioner and the learned Government Pleader for Services appearing for the respondents. Perused the material available on record.

3. When the matter is called, it is submitted by learned counsel for both sides that the issue in the present writ petition is squarely covered by the order, dated 11.10.2017, in W.P.No.33907 of 2017 of this Court. A copy of the same is filed along with writ material papers.

4. Following the said order and for the reasons stated therein, this Writ Petition is also disposed of directing the respondents to consider the case of the petitioner for promotion, as and when Departmental Promotion Committee is constituted, without reference to the charges framed against the petitioner, but, however, subjecting such promotion to the outcome of the pending departmental proceedings. There shall be no order as to costs.

5. Office to enclose a copy of the order, dated 11.10.2017, in W.P.No.33907 of 2017, to this order.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

T.AMARNATH GOUD, J

Date: 14th February, 2020

Note: Issue C.C. on 17.02.2020.

(B/o.)
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