

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO**

WRIT PETITION No.252 of 2006

ORDER: *(Per the Hon'ble Sri Justice Abhinand Kumar Shavili)*

Aggrieved by the order dated 06.07.2005 passed in O.A.No.544 of 2005 passed by the Central Administrative Tribunal, Hyderabad, the present writ petition has been filed.

Heard Chintalapudi Lakshmi Kumari, learned counsel for the petitioner and Smt K.Mani Deepika, learned Standing Counsel appearing for the respondents.

It is the case of the petitioner that he is working as a peon and he is fully eligible and qualified to be promoted to Group-C post. However, his claim was rejected by the respondents *vide* order dated 20.04.2005. Aggrieved by the same, he has filed O.A.No.544 of 2005 before the Central Administrative Tribunal, Hyderabad. The Tribunal *vide* order dated 06.07.2005 dismissed the said OA. Hence, the present writ petition.

Learned counsel appearing for the petitioner had contended that though the petitioner is fully eligible and qualified to be promoted to Group-C post, the respondents have rejected the case of the petitioner. Therefore, appropriate orders be passed in the writ petition directing the respondents to consider the case of petitioner for promotion to the post of Group-C, if he is otherwise eligible in accordance with the Rules.

Learned Standing Counsel appearing for the respondents had contended that the petitioner does not come within the zone of consideration for promotion to the post of Group-C. Admittedly, petitioner secured less marks in the selection process and the respondents have rightly rejected the case of the petitioner for promotion to the post of Group-C and the Tribunal was justified in dismissing the O.A. Therefore, there are no merits in the writ petition and the same is liable to be dismissed.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that this writ petition can be disposed of directing the respondents to consider the case of petitioner for promotion to the post of Group-C, if the petitioner is otherwise eligible in accordance with law as and when the respondents undertake the exercise of promotions to the post of Group-C.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous applications pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

NAMAVARAPU RAJESHWAR RAO, J

Date: 13.10.2022

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