

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

AND

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

Writ Petition No.2880 of 2011

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

This Writ Petition is filed by the petitioner under Article-226 of the Constitution of India seeking a 'Writ of certiorari' by calling for records relating to the order passed by the Central Administrative Tribunal (for short 'the Tribunal'), Hyderabad in O.A.No.581 of 2009, dated 25.01.2011 and to quash the same.

2. Heard Mr. Polali Venkatesh, learned counsel for the petitioners and Mr. L. Pranathi Reddy, learned Standing Counsel for the respondents.

3. Learned counsel for the petitioner contended that the petitioner was working as 'Assistant Director' and she is fully eligible and qualified to the promotion of Deputy Director; inspite of petitioner being qualified, the respondents are not considering the case of the petitioner for promotion to the post of Deputy Director. Aggrieved by the inaction of respondents in not

promoting the petitioner, the petitioner has approached the Tribunal by filing O.A.No.581 of 2009 and the Tribunal *vide* order dated 25.01.2011 was pleased to dismiss the O.A without appreciating any of the contentions raised by the petitioner. Therefore, appropriate orders be passed in the Writ Petition directing the respondents to consider the case of the petitioner for promoting to the post of Deputy Director; as petitioner is fully eligible and qualified to hold the post of Deputy Director.

4. On the other hand, learned counsel appearing for the respondents, contended that the Deputy Director was also called as Senior Hindi Officer and as per the recruitment Rules one must possess Doctorate Degree in Hindi; as admittedly, the petitioner is not having Doctorate Degree in Hindi, the question of considering the case of petitioner for promotion of Deputy Director would not arise 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.

5. This Court, having considered the rival submissions made by both the parties, is of the considered view that the Deputy Director was earlier called as Senior Hindi Officer and as per the Recruitment Rules the qualification prescribed for the post of Senior Hindi Officer as of now designated as Deputy Director are as follows:-

(i) *A first or high second class Master's degree in Hindi with English as an elective subject at the degree level and with a Doctorate in Hindi from a recognised University;*

(ii) *Seven years of experience of original writing as indicated by published work or terminological work in Hindi or translation work from English to Hindi and vice-versa;*

(iii) *Adequate knowledge of Sanskrit;*

Seven years of experience *in translation of social Sciences research material or material of equivalent nature;*

(iv) *Proven ability in editing and bringing out publications in Hindi in large organizations preferably dealing with social Science.*

Desirable:

- 1) *Experience of organizing workshops, seminars etc., in Hindi;*
- 2) *Administrative experience;*
- 3) *Knowledge of any other modern India language.*

The method of Recruitment to the post of Senior Hindi Officer and Deputy Director is by direct recruitment and a perusal of the above recruitment Rules states that one must possess Doctorate in Hindi from recognised University. As admittedly, the petitioner is not having Doctorate in Hindi, the question of directing the respondents to consider the case of the petitioner for promotion to the post of Deputy Director would not arise. The Tribunal was justified in dismissing the O.A. Therefore, this Court is not inclined to interfere with the order passed by the Tribunal.

6. Accordingly, the Writ Petition is dismissed. No costs.

7. As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed.

ABHINAND KUMAR SHAVILI, J

NAMAVARAPU RAJESHWAR RAO, J

Date : 09.12.2022
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