

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

W.P.No. 2023 of 2010

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

This Writ Petition is filed aggrieved by the orders of the A.P. Administrative Tribunal, Hyderabad (for brevity 'the Tribunal') passed in O.A.No.4917 of 2005 dt.27-11-2009.

2. Heard Sri M.Panduranga Rao, learned counsel for the petitioner and the learned Government Pleader for Home appearing for the respondents Nos.1 and 2.

3. It has been contended by the petitioner that he was initially appointed as Constable in the First Battalion of the A.P. Special Police (APSP), Hyderabad. While he was discharging in the First Battalion, he was transferred to the new vacancy arose in Seventh Battalion of APSP in the year 1977 on the administrative grounds and the petitioner was promoted as Head Constable on 25-07-1983 and further promoted as ARSI on 05-05-2004. The grievance of the petitioner was that his juniors who were working in First Battalion were promoted as Head Constable and ARSI

and further promoted as RSI on 19-03-1999 ignoring the case of the petitioner. Aggrieved by the said action of the respondent Nos.1 and 2, the petitioner has approached the Tribunal by filing the above O.A. and the Tribunal had dismissed the said O.A. vide orders dt.27-11-2009 without appreciating any of the contentions raised by the petitioner. Therefore, appropriate orders be passed in the Writ Petition directing the respondent Nos.1 and 2 to consider the case of the petitioner for promotion to the post of Head Constable and ARSI and also RSI on par with his juniors.

4. Learned Government Pleader for Home appearing for the respondents Nos.1 and 2 has contended that the so-called juniors of the petitioner were promoted way back in the year 1999 and the petitioner has slept over the matter and has not questioned their promotion at that relevant point of time and only at the fag end of his service, he has approached the Tribunal by filing the O.A. and that the Tribunal has rightly dismissed the said O.A. holding that each battalion has a separate unit for the purpose of promotions. As admittedly the petitioner is working in Seventh Battalion, he cannot compare himself with the persons who are

working in the First Battalion. Therefore, the Tribunal had justified in dismissing the O.A. and 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 the learned counsel for the parties is of the considered view that the Tribunal was justified in dismissing the O.A. holding that each Battalion has a separate unit for the purpose of promotions and the petitioner cannot compare himself with the persons working in the First Battalion. Therefore, we are not inclined to interfere with the orders of the Tribunal

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

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

NAMAVARAPU RAJESHWAR RAO, J

Dt.10.10.2022

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