

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION Nos.27893 of 2007 and 16432 of 2009

COMMON ORDER:

Since the issue involved in both the writ petitions is intrinsically connected with each other. They are taken up together and disposed of by this common order.

2. W.P.No.27893 of 2007 is filed for following relief:

".....to issue writ of Mandamus or any other appropriate writ, order or direction, declaring the action of the respondents in issuing the Memo. Est/Per.F/, Dated 20.03.1998 keeping the confirmation of service of the petitioner in abeyance even after completion of the probation and the consequential action of the stoppage of increments w.e.f. 2002 without assigning any reasons as illegal, arbitrary, contrary to the Staff Service Regulations of the respondent Bank and without jurisdiction and further direct the respondent Bank to treat the petitioner's service as confirmed and pay all the consequential benefits."

3. W.P.No.16432 of 2009 is filed for following relief:

".....to issue writ of Mandamus or any other appropriate writ, order or direction, declaring the action of the respondents in not issuing Promotion Posting Orders to the petitioner for the post of Manager pursuant to the Approved Overall Merit List for Promotion from Staff Assistant to

Manager Dt 07.08.2009 which was prepared basing on written test, performance in the interviews and other qualifications as illegal and arbitrary."

4. Learned counsel for the petitioner has stated that the Memo vide Ref.No.ESt/Per.F/, dated 20.03.1998, which is impugned in W.P.No.27893 of 2007, was issued keeping the confirmation of service of the petitioner No.1 in abeyance even after completion of probation. Learned counsel has further stated that the confirmation of service of the petitioner No.1 was kept in abeyance since 09.01.1997 for want of clearance from the Tribal Welfare Department. Learned counsel has placed on record a copy of G.O.Ms. No.18, Social Welfare (CV2) Department, dated 03.04.2013, which was issued by the then Government of Andhra Pradesh setting aside the proceedings of the District Collector, Hyderabad, vide No.R.Dis.C1/D5/2511/2008, dated 27.03.2012, and upholding the Scheduled Tribe "Valmiki" Community Certificate issued by the MRO, Golkonda, in favour of Smt. Mandla Kalavathi, the wife of the deceased petitioner - Sri Mandla Venkateshwar Rao.

5. Learned Standing Counsel appearing on behalf of the respondents has not been disputed the above said facts nor the order of the Government *vide* G.O.Ms.No.18 dated 03.04.2013.

6. Having regard to the above, the Memo No.Est/Per.F, dated 20.03.1998 is set aside and W.P.No.27893 of 2007 is allowed. The authorities concerned are directed to confirm the services of the petitioner No.1 from 09.01.1997.

7. Consequently, W.P No. 16432 of 2009 is also allowed and the authorities concerned are directed to issue necessary promotion posting orders and consequential benefits of the petitioner No.1 in accordance with the rules and regulations of the Telangana State Cooperative Apex Bank Limited.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed. There shall be no order as to costs.

A. ABHISHEK REDDY, J

Date: 01.02.2023

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