

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

**THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND**

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 30909 OF 2014

Between:

1. The Government of Andhra Pradesh, Special Chief Secretary to Government General Administration (DPC) Department A.P. Secretariat Hyderabad.
2. The Government of Andhra Pradesh, rep. by its, Special Chief Secretary to Government Revenue (Ser-1.) Department A.P. Secretariat Hyderabad.
3. The Chief Commissioner of Land Administration & Special, Chief Secretary, Government of A.P. Nampally, Hyderabad.

...PETITIONERS/

APPLICANTS IN O.A.No.2181/2014

AND

1. Smt.S.Sarala Vandanam, W/o.Y. Venu Gopal Reddy, aged about 49 years, Occ: Special Deputy Collector (LA General), O/o Collector, Hyderabad R/o Hyderabad.

...RESPONDENT/

APPLICANT IN O.A.No.2181/2014

2. The Andhra Pradesh Administrative Tribunal, rep. by its Registrar, Purana Haveli, Hyderabad.

...RESPONDENT

Petition Under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of WRIT OF CERTIORARI calling for the records relating to and connected with the orders dated 28-03-2014 in O.A.No.2181/2014 on the file of

the Hon'ble Administrative Tribunal, Hyderabad and to quash the same as wholly erroneous.

I.A.NO:1 OF 2014(WPMP. NO: 38646 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of orders dated 28-03-2014 in O.A.No.2181/2014 passed by the Hon'ble A.P. Administrative Tribunal, Hyderabad, pending disposal of the writ petition.

Counsel for the Petitioners : GP FOR SERVICES - I

Counsel for the Respondent No.1 : SRI.J.SUDHEER

Counsel for the Respondent No.2: --

The Court made the following ORDER

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
THE HON'BLE SRI JUSTICE PULLA KARTHIK

Writ Petition No.30909 of 2014

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

This Writ Petition is filed by the petitioners under Article-226 of the Constitution of India seeking a 'Writ of Certiorari' by calling for records relating to the order passed by the Administrative Tribunal (for short, 'the Tribunal'), Hyderabad in O.A.No.2181 of 2014, dated 28.03.2014 and to quash the same.

2. Heard the learned Government Pleader for Services-I (A.P) for the petitioners and Mr. J. Sudheer, learned counsel for the respondents.

3. Learned counsel for the petitioners contended that the 1st respondent was working as 'Special Deputy Collector' and she was claiming the post of Special Grade Deputy Collector for the panel year 2008-2009 and when the case of the 1st respondent was not considered, she has approached the Tribunal by filing O.A.No.2181 of 2014 and the Tribunal vide orders,

dated 28.03.2014 was pleased to dispose of the O.A by directing the petitioners to conduct Review of Departmental Promotion Committee (for short, 'DPC') for inclusion of the 1st respondent in the panel year 2008-2009 for the post of Special Grade Deputy Collector without appreciating any of the contentions raised by the petitioner.

4. Learned counsel for the petitioners had further contended that the ACRs (Annual Confidential Reports) of the 1st respondent were not available when DPC was being conducted in the panel year 2008-2009 and the case of the 1st respondent was not considered by the petitioners. This fact was not considered by the Tribunal and the Tribunal has mechanically disposed of the O.A in favour of the 1st respondent. Therefore, appropriate orders be passed in the writ petition by setting aside the orders passed by the Tribunal in O.A.No.2181 of 2014, dated 28.03.2014 and allow the writ petition.

5. On the other hand, learned Standing Counsel for the 1st respondent contended that the ACRs of the 1st respondent were made available to the petitioners on 26.11.2011 and the Tribunal was justified in directing the petitioners to conduct the review of DPC and pass appropriate orders in accordance with law. However, the Tribunal was justified in allowing the O.A in favour of the 1st respondent. Therefore, there are no merits in the writ petition and the same is liable to be dismissed.

6. This Court, having considered the rival submissions made by the parties, is of the considered view that when the ACR's of the 1st respondent were made available to the State on 26.11.2011, the Tribunal was justified in directing the petitioners to conduct review of DPC in the panel year 2008-2009 and consider the case of 1st respondent for promoting to the post of Special Grade Deputy Collector. Therefore, this Court is not inclined to interfere with the orders passed by the Tribunal.

7. With these observations, the Writ Petition is dismissed. No costs.

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

//TRUE COPY//

SD/-G.SIREESHA
ASSISTANT REGISTRAR

GP
SECTION OFFICER

- To
1. Two CC to GP FOR SERVICES -I, High Court for the State of Telangana at Hyderabad. [OUT]
 2. One CC to SRI J. SUDHEER, Advocate [OPUC]
 3. Two CD Copies
 4. One spare copy

SA
BS

HIGH COURT

DATED:31/01/2023

ORDER

WP.No.30909 of 2014



**DISMISSING THE W.P
WITHOUT COSTS.**

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