APHC010051572025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3331]**
(Special Original Jurisdiction)

FRIDAY ,THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 2771/2025

Between:

B. Bala Chandra Reddy, **...PETITIONER**

AND

The State Of Andhra Pradesh and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. DHARANI KUMAR B

Counsel for the Respondent(S):

1. GP FOR SERVICES III
2. GP FOR SERVICES I

The Court made the following ORDER:

Heard Sri Dharani Kumar B, learned counsel for the petitioner and Sri Sarath, learned Assistant Government Pleader for Services-II appeared for respondents 1 to 3.

2. The above writ petition is filed to declare the action of respondents 1 and 3 in not concluding the inquiry initiated against the petitioner vide charge memos G.O.Rt.No.884, Water Resources (Vig.II.(V&E)) Department, dated 05.05.2022, G.O.Rt.No.890 Water Resources (Vig.II.(V&E)) Department, dated 05.05.2022 and G.O.Rt.No.895 Water Resources (Vig.(V&E)) Department, dated 05.05.2022 and also not considering the petitioner's case

for ad-hoc promotion to the post of superintending Engineer, as illegal and arbitrary.

3. Learned counsel for the petitioner would submit that three charge memos were issued to the petitioner vide G.O.Rt.Nos.884, 890 and 895, dated 05.05.2022 (as mentioned supra). The petitioner submitted a written defence and an Inquiry officer was appointed on 09.06.2022. Learned counsel would also submit that despite the timeline fixed by the Government to complete the inquiry in three months and six months in simple and complicated cases respectively in G.O.Ms.No.679 General Administration (Services.C) Department, dated 01.11.2008 and G.O.Ms.No. 91 General Administration (Ser.C) Department, dated 12.09.2022, the inquiry has not been completed so far. Learned counsel would also submit that due to pendency of the aforementioned charge memos, the petitioner's case was not considered for promotion.

4. At the hearing, learned counsel for the petitioner confined his arguments and urged this Court to direct the respondents 1 and 3 to consider the petitioner's case for promotion in terms of G.O.Ms.No.257 General Administration (Ser.C) Department, dated 10.06.1999. Learned Assistant Government pleader did not refute the said submission.

5. There is no dispute regarding the aforementioned charge memos issued to the petitioner. The Government issued G.O.Ms.No.679 dated 01.11.2008 and G.O.Ms.No.91 dated 12.09.2022 fixing the timelines to complete the cases in three months and six months in case of simple and complicated cases respectively.

6. Both the learned counsel would submit that the inquiry officer was appointed on 09.06.2022, however, the inquiry has not been completed so far.

7. Given the facts and circumstances of the case, without touching the merits of the matter, the Writ Petition is disposed of, at the admission stage, with the consent of learned counsel on either side directing respondents 1 and

3 to consider the petitioner's case for promotion to the post of Superintending Engineer, if his case is in the zone of consideration, strictly in terms of G.O.Ms.No.257, dated 10.06.1999 whenever DPC is constituted. No order as to costs.

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

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JUSTICE SUBBA REDDY SATTI

Date: 07.02.2025
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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 2771/2025

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