APHC010581072026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3460]**
(Special Original Jurisdiction)

MONDAY, THE 2nd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 31816/2026

Between:

B.V. Krishna Rao **...PETITIONER**

AND

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

Counsel for the Petitioner:

1. CHILAMKURTHI SATYA DEV NAIDU

Counsel for the Respondent(S):

1. GP FOR SERVICES II

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

Writ Petition No.31816 of 2026

ORDER:

1. The present Writ Petition is filed to declare the action of the Respondents in not considering the case of the Petitioner for promotion to the post of Deputy Executive Engineer on account of pendency of departmental enquiry as illegal and arbitrary.

2. The Petitioner is working as Assistant Executive Engineer in the office of the Dy. Executive Engineer, R & B Quality Control Sub Division, Visakhapatnam. It is stated that now he is eligible and qualified for promotion to the post of Deputy Executive Engineer. While so, a Charge Memorandum was issued to the Petitioner vide G.O.Rt.No.367 T R&B (VIG-R&B) Department, dated 29.11.2024 on certain allegations.

3. It is stated that after serving the above charge memo, the Petitioner submitted statement of defence refuting the aforesaid charges and enquiry is stated to be pending. Though Departmental Enquiry was initiated against the Petitioner in the year 2024 with regard to the incident pertains to the year 2017, there is no progress in the Enquiry. On account of the pendency of the Departmental Enquiry, the Respondents are proposing to ignore the Petitioner's candidature for promotion to the next higher post. It was in that context, the present Writ Petition was filed.

4. Heard the counsels.

5. Having heard the respective submissions, this Court is of the opinion that the case of the Petitioner for promotion to the post of the Deputy

Executive Engineer can be considered in terms of G.O.Ms.No.257, dated 10.06.1999.

6. The Writ Petition is disposed of with following directions:-

i) The Respondents are directed to consider the Petitioner's case for promotion to the Post of Deputy Executive Engineer, subject to the Petitioner possessing requisite qualifications in terms of G.O.Rt.No.367 T R&B (VIG-R&B) Department, dated 29.11.2024, taking note of the delay in conclusion of the Departmental Proceedings.

ii) There shall be no order as to costs.

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

JUSTICE NYAPATHY VIJAY

Date : 02.11.2026

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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WP No.31816 of 2026

Dt.02-11-2026

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