



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

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 28116 OF 2021**

Between:

N. Vijaya Bhaskar, S/o. N. Narayana Murthy, Age. 59 years, Working as Typist-cum-Clerk, O/o. The Chief Executive Officer (SETNEL) SPSR Nellore District, Andhra Pradesh.

..... **Petitioner**

AND

1. The State of AP, represented by its Principal Secretary, Employment Generation and Youth Services Department, Govt. of Andhra Pradesh, Secretariat, Velgapudi, Amaravathi, Guntur District. AP.
2. The Managing Director/Director of Youth Services, Andhra Pradesh Society for Training and Employment Promotion (APSTEP), D.No.39-2-19N12, APSEB City Centre Colony, Labbipeta, Vijayawada-520010
3. The District Collector and Chairman, SETNEL, SPSR Nellore Dist.
4. The Chief Executive Officer, SETNEL, SPSR, Nellore Dist.
5. G. Ravi Chandran, S/o. Not known, Aged 55 years, working as Senior Asst. O/o. Chief Executive Officer, SETNEL, SPSR, Nellore District.

.... **Respondents**

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 a writ, order or direction more in the nature of writ of Mandamus directing the 2nd Respondent to promote the petitioner as Senior Assistant in any of the existing vacancies in other districts as was done in vide memo dt.05.12.2014 or in the alternative direct the 2nd respondent to revert the 5th respondent from Senior Assistant post in STEP(SETNEL) SPSR Nellore and promote the petitioner as Senior Assistant from the date of his eligibility to the said post and regularize and declare the probation of the petitioner in the cadre of Senior Assistant and release all emoluments in the promoted post from the date of his eligibility while holding that the impugned Memo of the 2nd respondent issued in Memo.No. 1766/ APSTEP/ ADMN/ 2014 dt. 03.11.2021 as illegal arbitrary and against article 14, 16, 21 and 311(2) of constitution of India and quash the same.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 2nd Respondent to consider the case of the petitioner for promotion to the post of Senior Assistant in any of the existing vacancies in other districts as was done vide memo dt.05.12.2014 as the petitioner has only 3 months service left and at least before his retirement he can be promoted to one cadre as he is languishing in the same post for which he was initially appointed in the year 1990, Pending disposal of WP 28116 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Y V SATYANARAYANA Advocate for the Petitioner and of GP for Youth Services for the Respondent Nos. 1 to 4, the Court made the following.

ORDER:

"Heard learned counsel for the petitioner.

In view of the submissions made by learned counsel for the petitioner that the petitioner is going to retire from service within three months and that there are two vacancies to the post of Senior Assistant, there shall be interim direction to the 2nd respondent to consider the case of the petitioner for promotion to the said post, in any of the existing vacancies subject to his seniority and eligibility, in the light of the Memo No.1766/APSTEP/Admn./A/2014, dated 05.12.2014, within a period of three (3) weeks from the date of receipt of a copy of this order.

List this matter after four (4) weeks.

Office to print the name of Mr. G.Ashok Kumar Reddey, learned counsel for respondent No.2 in the cause-list."

**Sd/-K.TATA RAO
DEPUTY REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Employment Generation and Youth Services Department, Govt. of Andhra Pradesh, Secretariat, Velgapudi, Amaravathi, Guntur District. AP.
2. The Managing Director/Director of Youth Services, Andhra Pradesh Society for Training and Employment Promotion (APSTEP), D.No.39-2-19N12, APSEB City Centre Colony, Labbipeta, Vijayawada-520010
3. The District Collector and Chairman, SETNEL, SPSR Nellore Dist.
4. The Chief Executive Officer, SETNEL, SPSR, Nellore Dist.
5. G. Ravi Chandran, working as Senior Asst. O/o. Chief Executive Officer, SETNEL, SPSR, Nellore District.(1 to 5 by RPAD)
6. One CC to Sri. Y V SATYANARAYANA Advocate [OPUC]
7. Two CCs to GP for Youth Services, High Court Of Andhra Pradesh. [OUT]
8. **One spare copy**

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HIGH COURT

NJSJ

DATED:21/12/2021

LIST THE MATTER AFTER FOUR (04) WEEKS.

ORDER

WP.No.28116 of 2021

DIRECTION

