

(2012) 09 AP CK 0100

In the Andhra Pradesh High Court

Case No : Writ Petition No. 18226 of 1999

Shaik Jhani and Others

APPELLANT

Vs

Registrar, Osmania University

RESPONDENT

Date of Decision : 06-09-2012

Acts Referred:

Citation : (2013) 4 ALD 451 : (2013) 4 ALT 102

Hon'ble Judges : Ramesh Ranganathan, J

Bench : Single Bench

Advocate : Jalli Kanakaiah, for the Appellant; Deepak Bhattacharjee, Counsel, for the Respondent

Final Decision : Dismissed

Judgement

Ramesh Ranganathan, J.—The action of the respondent in not extending the period of the selection panel of candidates for promotion to the post of Senior Assistant beyond 16.10.1998, and in not considering the case of the petitioners for promotion to the said post in future vacancies, is questioned in the Writ Petition as arbitrary and illegal. Petitioners, ten in number, were all working as Junior Assistants in the administrative branch of the respondent - University. Pursuant to a notification issued on 16.06.1996, they appeared in the written test for appointment to the post of Senior Assistants under the 50% quota, and passed the examination. The petitioners claim that certain persons were given promotion to the post of Senior Assistants without considering their claims for promotion, even though they succeeded in the written test and were fully eligible for promotion. As the two year cut off date for the panel to lapse was to expire by 16.10.1998, the petitioners submitted a representation seeking extension of the validity of the panel for a further period of two years, but to no avail. The petitioners had earlier filed W.P. No. 4045 of 1999 which was dismissed, by order dated 16.03.1999, on the ground that no material was placed to establish that they were entitled for such promotion. Aggrieved thereby, the petitioners preferred W.A. No. 699 of 1999 which was also dismissed on 30.04.1999

permitting the petitioners to file a fresh Writ Petition.

2. It is the petitioners' case that, in view of the increase in the age of superannuation from 58 to 60 years, the petitioners were deprived of their being promoted as Senior Assistants within the two year period. They would contend that, if the validity of the panel was extended by two more years, they would be eligible for promotion more so as the University had, in similar circumstances on earlier occasions, extended the life of the panel. Reference is made by the petitioners to the representation, submitted by the NGOs Association of the respondent - University, to the Registrar on 23.09.1998, wherein they stated that, on earlier occasions, the University had extended the panel, for appointment to the post of Senior Assistants, for a further period of two years. Except for a vague assertion, no material has been placed on record as to when the two year period of the panel was so extended, and the circumstances under which the life of the panel was extended. Even otherwise, the mere fact that the validity of the panel was extended earlier does not confer on the petitioner the right to claim that the validity of the panel, which is two years, should be extended for the mere asking. These are all matters for the University, in its wisdom, to decide, and not for this Court to direct. The Writ Petition as filed is wholly misconceived, and is accordingly dismissed. It is made clear that this order would not preclude the petitioners from appearing for the departmental tests for promotion to the post of Senior Assistants, and for being considered for promotion, if so permitted by the rules of the respondent - University. The miscellaneous petitions pending, if any, in this writ Petition shall also stand dismissed. There shall be no order as to costs.