



IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATHI

(Special Original Jurisdiction)

**WEDNESDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 19509 OF 2023

Between:

1. Shaik Ahamed Basha, S/o.Mahaboob Saheb, Aged 59 years, Working as Assistant Prohibition and Excise Superintendent/ Asst. Manager, O/o.APSBCL, IMFL Depot, Nellore.
2. Jally Ramesh, S/o.N.Narasaiah, Aged 55 years, Working as Assistant Prohibition and Excise Superintendent, O/o.District Prohibition and Excise Office, Puttaparthi Sri Satya Sai District.
3. Gonugunta Narasimha Rao, S/o.Prakasa Rao, Aged 61 years, Assistant Enforcement Superintendent, Special Enforcement Bureau (SEB), Bapatla, Bapatla District.

Petitioners

AND

1. The State of Andhra Pradesh, rep.by its Principal Secretary, Excise Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner, Prohibition and Excise Department, Government of Andhra Pradesh, Vijayawada, Krishna District.
3. R.Gowreswara Rao, S/o.not known to the petitioners, Aged 36 years, Occ:Assistant Prohibition and Excise Superintendent, APSBCL, IML Depot, Eluru.
4. K.Nagamalleswara Reddy, S/o.not known to the petitioners, Aged 29 years, Occ:Assistant Prohibition and Excise Superintendent, District Prohibition Excise Office, IML Depot, Rajamahendravaram, East Godavari District.
5. K.Manikantha, S/o.not known to the petitioners, Aged 32 years, Occ:Assistant Enforcement Superintendent, O/o.DSEO, Guntur.
6. B.Srinadhudu, S/o.not known to the petitioners, Aged 42 years, Occ:Assistant Enforcement Superintendent, O/o.DSEO, Visakhapatnam District.
7. C.Naresh Kumar, S/o.not known to the petitioners, Aged 32 years, Occ:Assistant Prohibition and Excise Superintendent, APSBCL, IML Depot, Ongole.
8. V.Danamjaya Kumar, S/o.not known to the petitioners, Aged 34 years, Occ:Assistant Enforcement Superintendent, O/o.DSEO, Satya Sai District at Puttaparthi.
9. Y.Srilatha, W/o.not known to the petitioners, Aged 35 years, Occ:Assistant Prohibition and Excise Superintendent, O/o.District Prohibition Office, Bhimavaram, West Godavari District.

10. Shaik Ayesha Begam, W/o.not known to the Petitioners, Aged 35 years, Occ:Assistant Enforcement Superintendent, O/o.DSEO, Chittoor District.
11. A.Srinivasulu Naidu, S/o.not known to the Petitioners, Aged 55 years, Occ:Assistant Enforcement Superintendent, O/o.DSEO, SEB Sub-Division, Markapuram, Prakasam Dist.
12. Sk.Khaja Mohiddin, S/o.not known to the petitioners, Aged 53 years, Occ:Assistant Prohibition and Excise Superintendent, O/o.Commissioner of Prohibition and Excise, Vijayawada, Krishna District.
13. K.Koteswara Rao, S/o.not known to the petitioners, Aged 61 years, Occ:Assistant Prohibition and Excise Superintendent, O/o.Sri Krishna Distillery, Chittoor Dist.

Respondents

Petition is filed 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 may be pleased to issue a Writ of Mandamus, or other appropriate writ, order or direction, declaring the Final Seniority List and Final Integrated Seniority List of Assistant Prohibition and Excise Superintendents (AP & ES) of Multi Zone-I and II for the years 2018-19 and 2019-20 issued vide proceedings in Cr.No.12022/2/2023/CPE/B1, dated 03-07-2023 and consequential publication vide Gazettee No.488, dated 13-07-2023 issued by the 2nd respondent herein is illegal, arbitrary, null and void and violative of Articles 14, 16 & 21 of the Constitution of India besides contrary to the Rule 36 of Andhra Pradesh State and Subordinate Service Rules, 1996 and also contrary to the Memo. No.Rev01-CPEOMI SC/ 144/2020-EXCISE, dated 10-06-2021 and Memo No.REV01-CPEOMISC/ 144/2020-EXCISE, dated 10-08-2021 issued by the 1st respondent and consequently set aside the same by directing the respondents 1 & 2 to revise the final integrated seniority list of Assistant Prohibition and Excise Superintendents of Multi Zone-I and II for the panel year 2018-19 and 2019-20.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed 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 respondents 1 and 2 herein not to effect any promotions to the post of District Prohibition and Excise Officer pursuant to the Final Integrated Seniority List of Assistant Prohibition and Excise Superintendents (AP & ES) of Multi Zone-I and II for the years 2018-19 and 2019-20 issued vide proceedings in Cr.No.12022/2/2023/CPE/B1, dated 03-07-2023 and consequential publication vide Gazettee No.488, dated 13-07-2023 issued by the 2nd respondent herein, pending disposal of the Writ Petition No.19509 of 2023, on the file of the High Court.

Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dt 03.08.2023, 17.08.2023 & 21.08.2023 made herein and upon hearing the arguments of Sri.P.Durga Prasad Advocate for the Petitioners and of Government Pleader for Services I for Respondent Nos.1 & 2 and Sri P.V.A.Padmanabham, Advocate for Respondent Nos. 4 and 9, the Court made the following;

ORDER:

"Post these matters on 29.08.2023, under the caption "for orders".

Interim order granted earlier in W.P.No.19509 of 2023 is extended till 29.08.2023."

//TRUE COPY//

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI.P.DURGA PRASAD, Advocate [OPUC]
2. One CC to SRI. P.V.A.Padmanabham, Advocate [OPUC]
3. Two CCs to GP FOR SERVICES I, High Court of Andhra Pradesh. [OUT]
4. One spare copy

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HIGH COURT

VS, J

DATED: 23.08.2023

Post the matter on 29.08.2023 under the caption for orders

WP.No.19509 of 2023

INTERIM ORDER EXTENDED

