

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT APPEAL NO: 1034 OF 2025

Writ Appeal under clause 15 of the Letters Patent preferred Against the Order dated 29/08/2025 in W P No 25582 Of 2025 on the file of the High Court.

Between:

Dr. L. Archana, W/o Sri S. Raja Muthyam Aged 53 years, Occ. Assistant Professor (Opt), Regional Eye Hospital, Warangal Warangal District, Telangana

...APPELLANT

AND

1. The State of Telangana, Rep. by its Secretary to Government, Medical, Health and Family Welfare Department, Secretariat Building, Hyderabad, Telangana
2. The Director of Medical Health, State of Telangana Sultan Bazar, Koti, Hyderabad

...RESPONDENTS

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the GO Rt.No.384, HMandFW (VC.1) Department, dated 02.08.2025 by the 1st Respondent to the Appellant/Petitioner by the 2nd Respondent through e-mail, pending disposal of this Writ Appeal.

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to forthwith consider the case of the Appellant/Petitioner

for promotion as Associate Professor (Opt) as per the seniority along with the juniors to the Appellant/Petitioner without reference to the departmental proceedings initiated by issuing GO Rt.No.384, HMandFW(VC.1) Department, dated 02.08.2025 by the 1st Respondent, pending disposal of Writ Appeal.

Counsel for the Appellant : SRI P.V.KRISHNAIAH

**Counsel for the Respondents: SRI SANTHAPUR SATYANARAYANA RAO,
GP FOR SERVICES I**

The Court made the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.1034 of 2025

JUDGMENT:

Learned counsel Sri P.V.Krishnaiah appears for the appellant through video conferencing.

Sri Santhapur Satyanarayana Rao, learned Government Pleader for Services - I, appears for the respondents.

2. Heard the learned counsel for the parties.

3. The impugned order dated 29.08.2025 passed in W.P.No.25582 of 2025 is under challenge, whereby the learned writ court has refused to grant interim relief of consideration of the case of the appellant, who is the writ petitioner, for promotion on account of issuance of G.O.Rt.No.384, dated 02.08.2025, initiating departmental proceedings against the appellant for certain charges.

4. The learned writ court observed that to determine the issue of entitlement of the appellant for promotion to the post of Associate Professor on the cut off date i.e., 01.09.2024, the stand of the respondents is essential. The matter has been posted for 07.10.2025.

5. Learned counsel for the appellant submits that the charges relate to the year 2016. The disciplinary authorities are trying to deny the due promotion to the appellant by initiation of departmental proceeding nine years thereafter, which is in teeth of certain decisions of the Apex Court which were cited before the learned writ court. However, the learned writ court has not accorded due consideration to the interim prayer. Therefore, the appellant is in appeal.

6. Learned Government Pleader appearing for the respondents submits that the writ court has duly considered the prayer for interim relief, but for the present, the learned writ court was of the view that the stand of the respondents is necessary to arrive at an opinion as to whether the appellant is entitled to be considered for

promotion. He also submits that the appeal is not maintainable, as there is no decision or judgment of the learned writ court appealable under Clause 15 of the Letters Patent. It is submitted that due to initiation of departmental proceeding, the claim of the appellant cannot be considered at this stage. The respondents are in the process of filing counter affidavit in the writ petition. Therefore, no interference may be granted in the present appeal.

7. We have considered the submissions of the learned counsel for the parties.

8. We do not wish to make any comment on the issue of interim relief, as the main matter is pending before the learned writ court in the background that the disciplinary proceeding has been initiated by charge sheet dated 02.08.2025 against the appellant after initiation of the process for promotion. The issue is still inchoate, as the respondents have been asked to file the counter affidavit before a view can be taken by the learned writ court. Even

otherwise, the impugned order does not finally determine the right or entitlement of the parties.

9. Taking into account the aforesaid facts and reasons, we are not inclined to interfere in the impugned order.

10. The instant appeal is accordingly dismissed. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/-V.KAVITHA
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI P.V.KRISHNAIAH, Advocate. [OPUC]
2. Two CCs to GP FOR SERVICES I, High Court for the State of Telangana. [OUT]
3. Two CD Copies.

BSK
GJP

HIGH COURT

DATED:17/09/2025

JUDGMENT

WA.No.1034 of 2025



**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**

⑥
18/11/25
D.K.