

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**WEDNESDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH



IA No. 3 OF 2026

IN

WP NO: 3998 OF 2026

Between:

A. Prabhakara Reddy, S/o and age not known to the petitioner
Occ. Assistant Director of Agriculture O/o Assistant Director of Agriculture
(R) Pulivendula, YSR Kadapa District Andhra Pradesh -516 391

...Petitioner/3rd Respondent

AND

1. Sunkara Bulli Babu, S/o S. Konda Babu, Aged 48 years, Occ. Assistant
Director of Agriculture O/o District Resource Center, Peddapuram,
Kakinada District, Andhra Pradesh. ...Respondent/Writ Petitioner

2. The State of Andhra Pradesh, Rep. by its Principal Secretary Agriculture
& Cooperation Department A.P. Secretariat, Velagapudi, Amaravati,
Guntur District -522 238

3. The Director of Agriculture, A.P., Chuttugunta, Nallapadu, Guntur,
Guntur District - 522 004

...Respondents/Respondents 1 to 3

Counsel for the Petitioner :Mrs.KAVITHA GOTTIPATI

Counsel for Respondent :GP FOR SERVICES II

Petition under Section 151 CPC is filed praying that in the
circumstances stated in the affidavit filed in support of the petition, the High

Court may be pleased to vacate the interim orders dated 11.02.2026 passed in I.A.No.1 of 2026 in W.P No. 3998 of 2026, Pending disposal of WP No. 3998 of 2026, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Considering the submissions of learned counsel for the petitioner, this Court has passed the following order on 11.02.2026:

"The contention of the learned counsel for the petitioner is that the petitioner and the 3rd respondent were appointed as Agriculture Officers under VH categories in the year 2005 and 2012 respectively based on the disability certificates and that now they are eligible for promotions. Though the petitioner was appointed in 2005 initially, the 3rd respondent was appointed in 2012 and eligible for promotion in 2019 only. To benefit the 3rd respondent, the 2nd respondent has issued a memo on 20.01.2026 directing the petitioner as well as the 3rd respondent to produce SADAREM Certificate for effecting the promotions.

2. Learned counsel for the petitioner submitted that there is no such requirement to produce the certificates at the time of effecting promotions, when there is no dispute with regard to the appointment of the petitioner as well as the 3rd respondent on the physically handicapped quota (Visual). In memo only with a malafide intention to favour the 3rd respondent, it was mentioned.

3. Learned Government Pleader has placed the instructions as submitted by the 2nd respondent. As per the said instructions, it is submitted that after submitting the proposals to A & C (Agri.I) Department, it was orally instructed to get the SADAREM Certificate and accordingly the memo has been issued on 20.01.2026.



4. A perusal of the instructions and also the submissions of the learned counsel, the instructions are silent about under which provision of law or regulations, the said SADAREM Certificate is required to be submitted at the time of the promotion and even according to the instructions they have issued on the oral instructions of the 1st respondent-Principal Secretary.

5. Considering the same, there shall be a direction to the respondents 1 and 2 to consider the case of the petitioner as well as the unofficial 3rd respondent without insisting SADAREM Certificate as per the memo dated 20.01.2026, based on the seniority and other eligibilities. If any of such promotions are given subject to the result of the present writ petition.

6. Post after four weeks.

7. Learned counsel for the petitioner is permitted to take out personal notice to the 3rd respondent by R.P.A.D and file proof of service."

After notice, the 3rd respondent has filed a counter and vacate stay petition. Along with the counter, he has placed reliance on the Assessment Report issued by MS, Ophthalmology Assistant Professor, dated 03.12.2025. According to the said report, it is found that the petitioner does not come under the category of Person With disability. Further, he has also placed reliance on the SADAREM photo of the petitioner dated 25.09.2025 with a remark "not recommended" indicating the assessed disability percentage and reassessment status.

On considering the documents, this Court is of the opinion that the petitioner has already availed the benefit to get the SADAREM Certificate and the petitioner could not able to place the positive report and she has not made any averment with regard to the rejection of the case for grant of SADAREM Certificate to the petitioner. Learned counsel for the petitioner has vehemently contended that as per G.O.Ms.No.36, there is no requirement of production of new disability certificate, more



particularly as per clause (4) of G.O.Ms.No.36, dated 23.08.2023. However, clause (6) of G.O.Ms.No.36, dated 23.08.2023, stipulates necessary modifications shall be made in SADAREM for evaluation assessment and certification of all the disabilities as per assessment guidelines under the Rights of Persons with Disabilities Act, 2016 and Rules, 2017 as notified by the Government. In the said circumstances, as the petitioner has already availed the benefit to get SADAREM Certificate and when the same is rejected, this Court is of the opinion that as directed by the respondents in memo dated 20.01.2026 if the petitioner obtains a SADAREM Certificate, the same may be considered along with the others in the promotions.

Accordingly, the interim order is modified.

Sd/-Sk.Md.Rafi

DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Agriculture & Cooperation Department A.P. Secretariat, Velagapudi, Amaravati, Guntur District -522 238(By **Special Messenger**)
2. The Director of Agriculture, A.P., Chuttugunta, Nallapadu, Guntur, Guntur District - 522 004.
3. A. Prabhakara Reddy, S/o and age not known to the petitioner
Occ.Assistant Director of Agriculture O/o Assistant Director of Agriculture (R) Pulivendula, YSR Kadapa District Andhra Pradesh -516 391(addressee 2 and 3 By **RPAD**)
4. One CC to SRI. KAVITHA GOTTIPATI Advocate [OPUC]
5. Two CCs to GP FOR SERVICES II, High Court of Andhra Pradesh.
[OUT]
6. One CC to Sri.Venkata Sailendra, Advocate [OPUC]
7. One spare copy

HIGH COURT

DR,J

DATED:18/02/2026

LIST THE MATTER AFTER FOUR (4) WEEKS.

ORDER

I.A.No.3 of 2026

IN

WP.No.3998 of 2026

INTERIM ORDER IS MODIFIED

