

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

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

PRESENT

THE HON'BLE SRI JUSTICE K. SARATH

WRIT PETITION (TR) NO: 3098 OF 2017

Between:

V. Srisailam, S/o Komaraiah (Late), age 46 years, working as Bill Collector, G.H.M.C. Circle No.9, Abids, Hyderabad. R/o Amberpet, Hyderabad.

...PETITIONER

AND

1. The Government of Telangana rep.by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Hyderabad. 500 022.
2. The Special Commissioner, Greater Hyderabad Municipal Corporation of Hyderabad, Tank Bund, Hyderabad.500001

...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 an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the case of the petitioner for promotion to the post of Senior Assistant and Superintendent only on the ground of pendency of Criminal case in CC.No. 7/2015 (Crime No. 11/ACB-CR2/2012) before the Hon'ble Spl.Judge for SPE ACB Cases at Hyderabad is illegal, arbitrary, unconstitutional, unjust, unfair and violative of all statutory provisions of law and to declare and hold that the petitioner is entitled for consideration of his case for promotion to the post of Senior Assistant and Superintendent from the date on which juniors to the



2026:TSHC:3148

petitioners were promoted with all consequential and attendant benefits in the interest of justice.

(Prayer is amended as per Court Order dated 01.12.2025 vide I.A. No.1 of 2025 in W.P.(TR).No.3098 of 2017)

Counsel for the Petitioner: SRI K. R. SRINIVAS

Counsel for the Respondent No.1: GP FOR SERVICES – I

Counsel for the Respondent No. 2: SRI G. NARAYANA, S.C. FOR GHMC

The Court made the following: ORDER



**IN THE HIGH COURT FOR THE STATE OF
TELANGANA AT HYDERABAD**

THE HON'BLE SRI JUSTICE K.SARATH

WRIT PETITION (TR) No.3098 of 2017

Date:18.02.2026

Between:

V. Srisailam.

...Petitioner.

And

The Government of Telangana and another.

...Respondents.

ORDER:

Heard Sri K.R.Srinivas, learned counsel for the petitioner and Sri G. Narayana, learned Standing Counsel for the respondent No.2-GHMC.

2. The petitioner is questioning the action of the respondents in not considering the case of petitioner for promotion to the post of Senior Assistant and Superintendent on the ground of pendency of criminal case in C.C.No.7 of 2015 (Cr.No.11/ACB-CR2/2012)



on the file of the Special Judge for SPE and ACB Cases at Hyderabad as illegal and arbitrary.

3. Learned Counsel for the petitioner submits that the ACB case pertains to the year of 2012 and time and again, this Court and the Hon'ble Supreme Court directed the respondent authorities to consider the case of the employees for promotion without reference to pendency of criminal cases since long time. He relied on the Judgment of the Hon'ble Supreme Court in **State of Punjab v. Chaman Lal Goyal¹** and requested to direct the respondents to consider the case of petitioner for promotion to the post of Senior Assistant

4. On the other hand, learned Standing Counsel for GHMC has not disputed the submission made by the learned counsel for the petitioner with regard to filing of charge sheet in the year, 2012 and the same is pending before the competent Criminal Court and after

¹ (1995) 2 SCC 570

disposal of the criminal case, the respondents will consider the case of petitioner for promotion and there are no merits in this writ petition and requested to dismiss the writ petition.

5. After hearing both sides and perusal of the record, this Court is of the considered view that the petitioner was involved in criminal case in C.C.No.7 of 2015 on the file of Special Judge for SPC and ACB Cases at Hyderabad for the offence under Section 7 of Prevention of Corruption Act, 1988. In spite of the charge sheet filed in the year, 2012, the criminal case is pending since long time. If the petitioner is found fit for promotion, the respondents have to consider his case for promotion without reference to and without taking into consideration the charges or pendency of the enquiry as held by the Hon'ble Supreme Court in **Chaman Lal Goyal's** case (supra 1), wherein it was held in para No.12 as under;

“12. Applying the balancing process, we are of the opinion that the quashing of charges and of the order appointing enquiry officer was not warranted in the facts and circumstances of the case. It is more appropriate and in the interest of justice as well as in the interest of administration that the enquiry which had proceeded to a large extent be allowed to be completed. At the same time, it is directed that the respondent should be considered forthwith for promotion without reference to and without taking into consideration the charges or the pendency of the said enquiry and if he is found fit for promotion, he should be promoted immediately. This direction is made in the particular facts and circumstances of the case though we are aware that the Rules and practice normally followed in such cases may be different. The promotion so made, if any, pending the enquiry shall, however, be subject to review after the conclusion of the enquiry and in the light of the findings in the enquiry. It is also directed that the enquiry against the respondent shall be concluded within eight months from today. The respondent shall cooperate in concluding the enquiry. It is obvious that if the respondent does not so cooperate, it shall be open to the enquiry officer to proceed ex-parte. If the enquiry is not concluded and final orders are not passed within the aforesaid period, the enquiry shall be deemed to have been dropped”.

6. In view of the said submissions and in view of the Judgment of the Hon'ble Supreme Court in **Chaman Lal Goyal's** case (supra 1), the Writ Petition is disposed of by directing the respondents to consider the case of petitioner for promotion to the post of



Senior Assistant as and when promotions taken place without reference to C.C.No.7 of 2015 on the file of Special Judge for SPE and ACB cases at Hyderabad. No order as to costs.

7. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed.

SD/-P.PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Municipal Administration and Urban Development Department, Government of Telangana, Secretariat Buildings, Hyderabad. 500 022.
2. The Special Commissioner, Greater Hyderabad Municipal Corporation of Hyderabad, Tank Bund, Hyderabad - 500001
3. One CC to SRI K. R. SRINIVAS, Advocate [OPUC]
4. Two CCs to GP for SERVICES - I, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to SRI G. NARAYANA, S.C. for GHMC [OPUC]
6. Two CD Copies

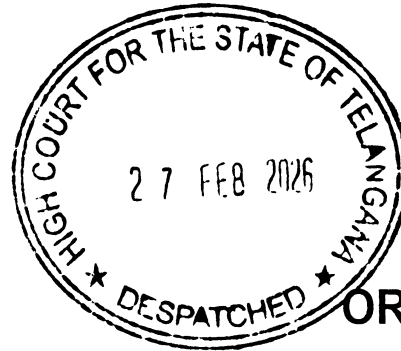
MP



2026:TSHC:3148

HIGH COURT

DATED:18/02/2026



ORDER

WP(TR).No.3098 of 2017

**DISPOSING OF THE WRIT PETITION (TR)
WITHOUT COSTS**

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Kp
27/2/26