IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL NO: 1366 OF 2025

Writ Appeal under clause 15 of the Letters Patent Preferred against the Order dated 07/10/2025 in WP.No.32233 of 2013 on the file of the High Court.

Between:

B.Raju, S/o. B.Mancha, Aged about 59 years, Occ. Dy.General Manager, Bharat Electronics Limited, R/o. Nacharam, Hyderabad

AND **...APPELLANT/WRIT PETITIONER**

1. Bharat Electronics Limited, Rep. by its Chairman and Managing Director, Outer Ring Road, Nagavara, Bangalore-560 045.
2. Union of India, Rep. by its Secretary, Defence Production, Ministry of Defence, Room No. 136, South Block, New Delhi- 110 003.
3. Union of India, Rep. by its Secretary, Ministry of Personnel, Public Grievances And Pension, Department of Personnel and Training, 3A/2, North Block, Connaught Place, Delhi- 110001.

...RESPONDENTS/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 Orders passed by the Learned Single Judge in W.P. No. 32233/2013 dated. 07-10-2025 and further direct the Respondents to promote the Appellant as Senior Deputy General Manager on time-bound basis as per the promotion policy and further direct the respondents to promote the

applicant to the post of Additional General Manager, General Manager and Director as per the roasters being maintained by the Respondents, pending disposal of the above Writ Appeal.

Counsel for the Appellant: SRI GODA SIVA, SENIOR COUNSEL APPEARING FOR SRI P. SUBBA RAJU

Counsel for the Respondent No.1: M/s. V. UMA DEVI

Counsel for the Respondents No.2 & 3: DEPUTY SOLICITOR GENERAL OF INDIA

The Court made the following: JUDGMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

The Hon'ble The Chief Justice Sri Aparesh Kumar Singh

and

The Hon'ble Sri Justice G.M.Mohiuddin

Writ Appeal No.1366 of 2025

Dated: 08.12.2025

Between:

B.Raju

...Appellant

and

Bharat Electronics Limited and 2 others

..Respondents

Order:

Heard Mr. Goda Siva, learned Senior Counsel appearing for Mr. P.Subba Raju, learned counsel for the appellant and Ms. V.Uma Devi, learned counsel appearing for respondent No.1- Bharat Electronics Limited.

2. This Writ Appeal is directed against order dated 07.10.2025, passed by a learned Single Judge in

W.P.No.32233 of 2013, preferred by the appellant (writ petitioner).

3. The aforesaid Writ Petition was filed with the prayer to promote the writ petitioner to the post of Manager (E-V) in the year 2002 itself, which he got in 2004 and for further promotion to the post of Deputy General Manager (E-VI) in the years 2008, 2009, 2010 and 2011, during which period his juniors were allegedly promoted.

4. During the course of submission, learned Senior Counsel for the writ petitioner does not press the prayer for promotion to the post of Manager (E-V) with effect from 2002. He submits that the writ petitioner was promoted as Deputy General Manager (E-VI) on 29.06.2012.

5. The writ petitioner preferred the impugned Writ Petition in 2013 seeking promotion from an anterior date to the post of Manager (E-V) and to the post of Deputy General Manager (E-VI) in the years 2008, 2009, 2010 and 2011.

6. The Writ Petition was dismissed on two grounds. Firstly, that it is delayed. Secondly, that the reservation for Scheduled Caste/Scheduled Tribe candidates being followed in the matter of promotions cannot be faulted in view of the percentage of Executives belonging to the said category in Cluster-III, with which the writ petitioner is concerned.

7. Learned Senior Counsel for the writ petitioner has assailed the impugned findings of the learned Writ Court on the ground that the delay, if any, was not fatal as the writ petitioner was pursuing the matter before the

National Commission for Scheduled Castes and Scheduled Tribes. Moreover, the delay, if any, has not lead to creation of any vested right in favour of those candidates, who might have been promoted ahead of him. It is further submitted that Clause 6.2 (b) of Promotion Policy for Executives (Page No.97) provides that promotions between Clusters is subject to availability of vacancies. The case of the writ petitioner essentially is promotion within the Cluster from Manager (E-V) to Deputy General Manager (E-VI) and to the post of Deputy General Manager (E-VI A). Though the said promotions were granted to the writ petitioner, they were delayed from the point when he was eligible. No one's seniority would be affected within the Cluster. Therefore, the denial of the claim of the writ petitioner by respondent No.1-BEL was not proper.

8. Learned counsel for respondent No.1-BEL submits that the impugned findings are proper in the eye of law.

9. The materials on record do not disclose as to why the case of the writ petitioner for promotion was ignored or, if considered, as to why rejected for the years 2008, 2009, 2010 and 2011. In the aforesaid facts and circumstances, we are of the view that the case of the petitioner for promotion to the post of Deputy General Manager (E-VI) from anterior date when some of the similarly situated persons were promoted as per the promotion policy should not have been rejected only on the ground of delay as the writ petitioner approached the learned Writ Court in 2013 after he was conferred promotion to the post of Deputy General Manager (E-VI) with effect from 29.06.2012 itself. In the absence of material placed before the learned Writ Court as to what

were the reasons for non-consideration or rejection of the case of the writ petitioner in the prior years, such a determination cannot be made at the appellate stage also. Writ petitioner is due to retire in April, 2026. Therefore, we consider it proper to allow him liberty to make a representation within a period of two weeks, with all detailed facts and supporting documents for consideration of his case for promotion to the post of Deputy General Manager (E-VI) from the year 2008 onwards.

10. If such a representation is made, respondent No.1-BEL would consider the same and pass a speaking order in accordance with law, within a period of twelve weeks thereafter.

11. The instant Writ Appeal stands disposed of. No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

SD/-MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Chairman and Managing Director, Bharat Electronics Limited, Outer Ring Road, Nagavara, Bangalore-560 045.
2. The Secretary, Defence Production, Ministry of Defence, Union of India, Room No. 136, South Block, New Delhi- 110 003.
3. The Secretary, Ministry of Personnel, Public Grievances And Pension, Department of Personnel and Training, Union of India, 3A/2, North Block, Connaught Place, Delhi- 110001.
4. One CC to SRI P. SUBBA RAJU, Advocate [OPUC]
5. One CC to M/s. V. UMA DEVI, Advocate [OPUC]
6. One CC to Deputy Solicitor General of India [OPUC]
7. Two CD Copies

MP
LS

HIGH COURT

DATED:08/12/2025



JUDGMENT

WA.No.1366 of 2025

DISPOSING OF THE WRIT APPEAL

WITHOUT COSTS

9 MT
12/12/25