

**THE HONOURABLE SRI JUSTICE G. BHAVANI PRASAD**

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**W.P.No.13698 of 2001**

-  
**Date: 12.07.2006**

Between:

Shaik Madar, S/o Abbas and another

.... Petitioners

And

1. Nagarjuna Gramina Bank, represented by its  
Chairman, Khammam.
2. Union of India, represented by its Secretary,  
Ministry of Finance Department of  
Economic Affairs (Banking Division), North Block,  
New Delhi,

....Respondents

**ORDER:**

This writ petition has been filed challenging the prescription of minimum marks in the written examination prescribed for promotion to clerical cadre by RRBs (Appointment and Promotion of Officers and other Employees) Rules, 1998.

The decision of the Apex Court in 1998 (6) SCC 720 referred to in the affidavit filed in support of the writ petition itself admittedly permitted prescription of minimum necessary marks by the management for determination of the eligibility among the candidates for the purpose of promotion. That apart, the writ petitioners did not challenge specifically the vires of 1998 Rules in this writ petition.

The learned counsel for the writ petitioners has fairly submitted that the issue herein is covered by the decision of the Division Bench of this Court in W.P.No.1251 of 2001 and batch dated 14.08.2003. Their Lordships of the Division Bench ultimately dismissed on merits

the writ petitions, which challenged the method of promotion in respect of Golconda Grameena bank. As the question in issue is, thus, covered by a binding precedent, the writ petition is untenable.

Hence, the writ petition is dismissed. No costs.

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**G. BHAVANI PRASAD, J**

Date: 12.07.2006

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