

GAHC040009092024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/285/2024

Ramu Welly
Son of Shri Nobo Welly, Dipik Village, PO and PS Seijosa, Pakke Kessang District,
Arunachal Pradesh

VERSUS

The State of AP and Anr
represented by the Commissioner/ Secretary (UD and Housing) Govt of Arunachal
Pradesh, Itanagar 2:The Chief Engineer
Age: 0
Occupation

Advocate for the Petitioner : T T Tara

Advocate for the Respondent : GA (AP)

BEFORE
HONBLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 24.07.2024

Heard Mr. T. T. Tara, learned counsel for the petitioner. Also heard
Mr. N. Ratan, learned Addl. Advocate General for the State.

The petitioner, in the present proceeding has prayed for a direction
upon the respondent authorities to convene the DPC meeting for

consideration of cases of all eligible Executive Engineers to the vacant posts as figuring in the cadre of Superintending Engineer in the department of Rural Development & Housing, Government of Arunachal Pradesh.

A perusal of the contentions as raised in the writ petition, would reveal that there are vacant posts available in the cadre of Superintendent Engineer and the said posts have been lying vacant since last few years, however, the respondent authorities have not taken requisite steps for convening the meeting of the DPC as conceptualized under the provision of the Rules of "Superintending Engineer" Common Recruitment Rules, 2014.

Mr. N. Ratan, learned Addl. AG submits that the DPC meeting could not be held on account of the fact that there were proceedings pending in this connection before this Court.

To this, Mr. T. T. Tara, learned counsel for the petitioner has submitted that the writ petition being WP(C)/374(AP)/2023 that was so pending, has since been withdrawn by the petitioners therein, and there is no legal bar for the respondent authorities to proceed to convene the DPC meeting for consideration of the cases of the eligible Executive Engineers for promotion to the cadre of Superintending Engineer.

The above being the facts involved in the present proceeding, this Court is of the considered view that the present writ petition need not be detained any further and the same can be so closed by directing the respondent authorities, more particularly, the Commissioner, Urban Development & Housing, Government of Arunachal Pradesh, to

immediately take on record the representation dated 14.03.2024 as preferred by the petitioner herein and thereafter, on consideration of the contentions therein, to dispose of the same by directing the respondent authorities for convening of the DPC meeting within a period of 1(one) month from the date of receipt of a certified copy of this order.

The Commissioner, Urban Development & Housing Department, Government of Arunachal Pradesh, while proceeding to consider the contentions made in the representation as preferred in the matter by the petitioner, shall also keep in view the provisions as existing in the said Rules of "Superintending Engineer" Common Recruitment Rules, 2014 and other applicable Government instructions.

With the above observations and directions, the writ petition stands disposed of.

JUDGE

Comparing Assistant