

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.26132 OF 2005

ORDER:

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus declaring the Memo No.16824/CE.II-1/2002-5, dated 19.05.2005 issued by the 1st respondent which was communicated by the 2nd respondent in Lr.Dis.No.2329/Admn.VI-1/2001, dated 31.05.2005 as illegal, void and contrary to the Rules and qualifications prescribed in G.O.Ms.No.208, dated 29.06.1999 and consequently, to direct respondents 2 and 3 to approve the promotion of the petitioner as per the resolution passed by the 3rd respondent on 18.12.2001 with all consequential benefits from 18.12.2001.

2. The grievance of the petitioner is that on 30.04.1996 the then Secretary-cum-Correspondent issued a memo appointing the petitioner as Incharge Librarian and as such from 30.04.1996 till the date of his retirement, he worked only as Incharge Librarian. He further submits that as on today, the petitioner is no more in service and he retired without any promotion.

3. Learned counsel for the petitioner mainly submits that if there is any difference in quantum of pension, the petitioner may be given liberty to agitate the same before the appropriate Forum.

4. Having regard to the facts and circumstances of the case and taking into consideration the submission made by the learned

counsel for the petitioner, the Writ Petition is disposed of giving liberty to the petitioner to ventilate his grievance with regard to difference in quantum of pension if he is so entitled to do, in accordance with law, before the appropriate Forum. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:23.09.2016
INL

