

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.28691 OF 2009

ORDER:

Heard Mr.B.Sinivas for petitioners and Mr.B.Sinarayana for respondent No.2.

The petitioners challenge provisional seniority list of Assistant Engineers (Graduate) communicated through Memo No.A1/66/96 dated 14.09.2009 as illegal, arbitrary and unsustainable and further rely upon the provisional seniority list communicated through Memo No.A1/66/96 dated 22.12.2008 for consideration of their seniority.

On 31.12.2009, after taking note of the objections of petitioners against the provisional seniority list communicated through Memo dated 14.09.2009 and on being satisfied with the necessity of considering the objections of petitioners against seniority list communicated through memo dated 14.09.2009, this Court directed the respondents as follows:

“The specific case of the petitioners is that they have already submitted their objections their objections pursuant to the memo dated 14.09.2009, inviting objections to the provisional seniority list in the cadre of Assistant Engineers. This writ petition is filed alleging that the respondents are proceeding with the promotions without considering their objections and without publishing any final seniority list.

In the circumstances, there shall be a direction to the respondents not to effect any promotions to the post of Deputy Executive Engineer without considering the petitioners' objections and without publishing a final seniority list in the cadre of the Assistant Engineers.

Post on 20.01.2010.”

Mr.Sinivas appearing for petitioners submits that the objections raised by petitioners are considered and final seniority list has been published. A few of the petitioners aggrieved by the final seniority list, filed W.P. No.13694 of 2010 and the issue of seniority of graduate engineers is pending consideration in W.P. No.13694 of 2010. Hence by reserving all the rights and grounds available against the final seniority list vis-à-vis the petitioners therein, the prayer in the writ petition is not pressed.

The writ petition is dismissed by placing on record the above submission. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

Date: 02.08.2017
Sp



S.V.BHATT, J