

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 6134 of 2005

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the action of the 1st respondent in not following the roster points in giving promotion to the post of leading hand from mechanic and artisan categories, as illegal and arbitrary. A consequential direction is also sought to the 1st respondent to give promotion to the petitioner as leading hand by reviewing earlier promotion roster points.

When the matter is taken up for hearing, it is noticed that the petitioner has attained the age of superannuation during pendency of the writ petition.

Learned counsel for the petitioner submits that the respondents may be directed to consider the case of the petitioner for promotion to the post of leading hand by taking into account that the petitioner is entitled for promotion under the roster meant for leading hand from the post of mechanic Grade-I as per the regulations.

Learned standing counsel for the respondents 1 and 2 contends that the petitioner has retired from service during pendency of the writ petition and hence the cause in the writ petition does not survive.

Having considered the submissions made by the parties, this Court is of the considered view that the writ petition can be disposed of directing the petitioner to submit a fresh representation to the respondents 1 and 2 seeking for promotion to the post of leading hand

from the feeder category of mechanic grade-I within two weeks from the date of receipt of a copy of this order and upon receiving such representation, the respondents 1 and 2 shall consider and pass appropriate orders in four weeks thereafter.

With the above direction, the writ petition is disposed of. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

19th December, 2018
cbs



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Writ Petition No. 6134 of 2005
(closed)

19th December, 2018

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