

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 37142 of 2018

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the proceedings of the 1st respondent dated 08.07.2018 and the connected proceedings of the 2nd respondent dated 14.08.2018, as illegal and arbitrary. A consequential declaration is also sought that the petitioner is entitled to be posted in plain areas as per her web options exercised as per the seniority list of entitlement points, if necessary, by replacing the candidates with less entitlement points, existing or arising vacancies/deputation with all consequential benefits.

When the matter is taken up for hearing, learned counsel for the petitioner as well as learned Government Pleader for Education appearing on behalf of the respondents have fairly conceded that the subject matter of this writ petition is squarely covered by an order dated 17.09.2018 of this Court passed in W.P.No.32513 of 2018 and submitted that similar orders may be passed in this writ petition also. The operative portion of the said order reads as follows:

“However, the present consequence is invited by the respondents by not complying with the undertaking given before the Division Bench and not considering the claims of the petitioners to post them to the plan area as per their entitlement when the transfer counselling exercise was undertaken by the Department. In the peculiar facts of this case, the Court directs the respondents to consider the petitioners to the vacancies which arose in the plain area after 31.05.2018. The writ petition is accordingly allowed.”

In view of the above, this writ petition is allowed, in terms of the order dated 17.09.2018 of this Court in W.P.No.32513 of 2018.

Consequently, miscellaneous applications, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

11th October, 2018
cbs



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Writ Petition No. 37142 of 2018
(allowed)

11th October, 2018

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