

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.44279 OF 2018

ORDER :

This writ petition is filed seeking a writ of mandamus declaring the action of the respondents in not considering the claim of the petitioners for promotion to the post of Office Superintendent even though number of vacancies are existing and their names were included for the panel year 2018-19 and considering the claim of the unofficial respondent for promotion vide Rc.No.2201/MS/Z-VI/DPH/2018, dated 30.08.2018 though he is not eligible for promotion, as illegal, arbitrary and sought for a consequential direction to the respondent to consider the claim of the petitioners for promotion to the post of Office Superintendent on par with unofficial respondent i.e., w.e.f 30.08.2018 for the panel year 2017-18 by conducting counselling with all consequential benefits.

Heard Sri A.Ravinder, learned counsel for the petitioners and learned Government Pleader for respondents 1 to 3.

It has been contended by the petitioners that they are fully eligible and qualified for the post of Office Superintendent and their names were included for the panel year 2018-19 for promotion for the post of Office Superintendent. The grievance of the petitioners is that the respondent authorities have considered the claim of the unofficial respondent for promotion to the post of Office Superintendent vide order dated 30.08.2018, though he is not qualified for promotion and the said action of the respondents is illegal, arbitrary and unconstitutional. Petitioners further contend that they have submitted series of representations dated 04.10.2018 and 21.10.2018 to the respondents and contend that this Court may pass appropriate

orders directing the respondents to consider the case of the petitioner for promotion on par with the 4th respondent.

Learned Government Pleader for respondents contend that the case of the petitioners will be considered for promotion in accordance with rules and appropriate orders would be passed on the representations submitted by the petitioners.

This Court, having considered the rival submissions of both the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representations submitted by the petitioners on 04.10.2018 and 21.10.2018 within six (06) weeks and pass appropriate orders in accordance with law.

With these observations, the writ petition is disposed of. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.



ABHINAND KUMAR SHAVILI,J

Date: 06.12.2018
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