

W.M.P.Nos.20541 and 18240 of 2019

W.M.P.No.14872 of 2019

in

W.P.No.14887 of 2019

V.PARTHIBAN,J.

The challenge in the writ petition is to the inter se seniority of the direct recruits/promotees in the cadre of Labour Officer/redesignated as Assistant Commissioner of Labour.

2.While admitting the writ petition, stay has been granted in respect of the seniority list comprising several names of officers, who are likely to be promoted to the next higher grades as Deputy Commissioner, Joint Commissioner, Additional Commissioner, etc.

3.When the writ petition is posted for hearing today, the learned counsel Mr.Syed Mustafa R, appearing for the petitioners in W.M.P.No.20541 of 2019, would submit that the interim stay granted by this Court would affect the rights of his clients, who are impleaded as party respondents, viz., respondents 28 to 30, in the writ petition, and hence, he seeks to modify the order of stay granted in W.M.P.No.14872 of 2019.

4. According to the learned counsel for the petitioners in W.M.P.No.20541 of 2019, the three petitioners herein are 1999 appointees and the dispute is in regard to 2012 appointees and the outcome in the writ petition is not going to affect the rights of these petitioners, who are far seniors to the rival claimants, who approached this Court for settlement of their seniority. Therefore, according to him, in any case, the promotion of the petitioners herein will not come in the way of the dispute raised by the rival claimants and it will not affect them at all and because of the pendency of the litigation and the stay granted by this Court, their promotion to the next higher grade of Additional Commissioner of Labour is put on hold by the administration. Therefore, the learned counsel for the petitioners in W.M.P.No.20541 of 2019 seeks proper modification of the order passed by this Court on 23.05.2019 in W.M.P.No.14872 of 2019.

5. At this, the learned counsel appearing for the writ petitioner fairly submits that the petitioners represented by Mr. Syed Mustafa R, are unlikely to be affected in the final orders to be passed in the writ petition.

6.In view of the above, the interim order of stay already granted by this Court, dated 23.05.2019 in W.M.P.No.14872 of 2019 shall not operate so far as the claims of the petitioners in W.M.P.No.20541 of 2019 and their promotion shall be operated to the post of Additional Commissioner of Labour, if they are otherwise suitable for such promotion.

7.It is made clear that the interim stay already granted by this Court on 23.05.2019 in W.M.P.No.14872 of 2019 shall hold good in respect of the rival claimants are concerned, except the petitioners in W.M.P.No.20541 of 2019 and the same is extended till the next date of hearing.

Post the writ petition for final hearing on 13.08.2019 in the same position, along with connected W.P.Nos.29670 of 2015, 3171, 16924 and 14887 of 2019, 15973 of 2018 and 29670 of 2015, in view of the parties seeking urgent final orders of the Court.

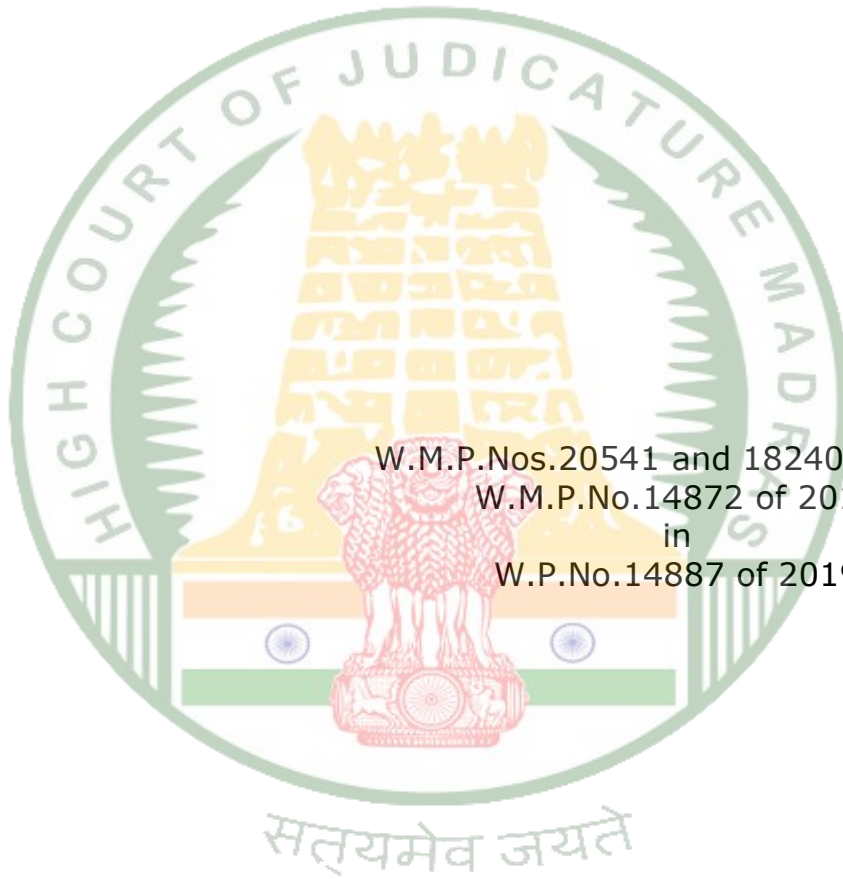
msk

30.07.2019

W.M.P.Nos.20541 and 18240 of 2019

V.PARTHIBAN,J.

msk



W.M.P.Nos.20541 and 18240 of 2019
W.M.P.No.14872 of 2019
in
W.P.No.14887 of 2019

WEB COPY
30.07.2019