

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.2744 OF 2018

ORDER:

When the matter is taken up for hearing, counsel for the petitioners had contended that the petitioners are working as Assistant Directors of Agriculture in Zone V and their grievance is that equal opportunities are not being extended to them on par with the officials of Zone VI. The petitioners submitted objections to the provisional integrated seniority list prepared by the official respondents, but the official respondents are not considering the said objections. In those set of circumstances, the petitioners filed the present writ petition.

On 09.02.2018, this Court granted interim order to the following effect:

“Pending further orders, there shall be stay, for a period of two (02) weeks from today, of the proposed promotions of ADA's as DDA's for the current and coming panel years pursuant to Memo No.278/2017 dt.23.01.2018.

The Government Pleader for Services shall file an affidavit stating when Provisional Integrated Seniority List of ADAs was notified, when objections were called for to the said list, and when the seniority list was finalised, within a period of ten (10) days from today.”

The above said interim orders were extended from time to time and finally the same were made absolute on 15.03.2018 when the official respondents have filed vacate stay application. On the same day i.e., 15.03.2018, unofficial respondents got impleaded and they filed memo dated 23.06.2018, wherein it is stated that the objections

of the petitioners in respect of provisional integrated seniority list of Assistant Directors of Agriculture were considered by the official respondents and the same were rejected and final integrated seniority list was prepared.

Counsel appearing for unofficial respondents contended that due to interim orders passed by this Court on 09.02.2018, the case of the unofficial respondents is not being considered for further promotion. Counsel appearing for unofficial respondents further contended that the grievance of the petitioners has been resolved with the publication of final integrated seniority list in the cadre of Assistant Director of Agriculture vide proceedings dated 23.06.2018 and if the petitioners are still aggrieved by the final integrated seniority list published by the official respondents, it is always open for the petitioners to challenge the same in accordance with law, therefore, the cause in the writ petition does not survive and the writ petition is liable to be dismissed.

This Court, having considered the submissions of learned counsel for respective parties, is of the considered view that the main grievance of the petitioners that the official respondents have not finalised the seniority list in the cadre of Assistant Director of Agriculture, has been resolved during the pendency of the writ petition by the official respondents with the publication of final integrated seniority list in the cadre of Assistant Director of Agriculture and if the petitioners are still aggrieved by the said final

integrated seniority list, it is always open for them to challenge the same in accordance with law. Thus, this Court is of the considered view that the cause in the writ petition does not survive.

Accordingly, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

13th December, 2019
v v

