

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.10066 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“...to issue an appropriate writ, order or direction particularly one in the nature of Writ of Mandamus declaring the action of respondents in altering the seniority of the petitioner without giving any notice in the final Seniority List vide Circular Roc.No. 1003/2014-K1, dt 05.05.2015 and in not considering the petitioner for promotion on par with the immediate Junior Officer by the respondents as illegal arbitrary unconstitutional contrary to law and consequently direct the respondents to consider the claim of the petitioner for promotion as Municipal Commissioner Grade III from the post of Manager and to promote the petitioner on par with the immediate Junior who was promoted on 08.03.2019 vide G.O.Ms.No.36 MA and UD (MA-1) Department and/or pass the order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

Heard Sri M.M.Ali, learned counsel appearing for the petitioner and learned Government Pleader for Services-II appearing for the respondents.

The grievance of the petitioner is that the respondents have altered his seniority in the final seniority list dated 5.5.2015 without giving any notice and that based upon the said altered seniority list, his immediate junior was promoted to the post of Municipal Commissioner Grade-III on 8.3.2019. Hence, the petitioner submitted representations dated 4.4.2016, 16.4.2019 and 25.4.2019. But the respondents have

neither considered the said representations nor restored the seniority of the petitioner. Hence, this writ petition.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the representations submitted by the petitioner on 4.4.2016, 16.4.2019 and on 25.4.2019.

Learned Government Pleader appearing for the respondents contended that since the representations submitted by the petitioner are pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the respondents to consider the representations dated 4.4.2016, 16.4.2019 and 25.4.2019 submitted by the petitioner and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, pending, if any shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 03.12.2019
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