

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.12847 OF 2019

ORDER

With the consent of learned counsel on either side, this writ petition is disposed of at the admission stage.

This writ petition is filed seeking the following relief:

“to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the inaction of the respondents in promoting the petitioner as per the service rules and the rule of promotion as eligible by the petitioner to the post of Assistant Commissioner-I/Assistant Commissioner from 2011 and further promotion from the post of Assistant Commissioner-I/Assistant Commissioner to the post of Regional Commissioner and to the further post by also considering the rule of reservation for S.T candidates by extending all the service benefits to the petitioner with retrospective dates as eligible for promotion from 2011 onwards is illegal, arbitrary, unjust and improper while directing the respondents to consider for the promotion of the petitioner from the post of Provident Fund Inspector/Enforcement Officer from 20.08.2011 to the post of Asst. Commissioner-I/Assistant Commissioner and further promotion from the post of Asst Commissioner-I/Asst Commissioner to the post of Regional Commissioner eligible from 2014 onwards and to the further post by extending all the service benefits to be calculated till the date of superannuation and pass such other order or orders as this Hon'ble Court may deems fit and proper.”

Heard Sri P.Satya Manjula, learned counsel appearing for the petitioner and Smt Ghanta Rukmini, learned Standing

Counsel for Central Government appearing for the respondents.

It is the case of the petitioner that she is working as Provident Fund Inspector and she is eligible for notional promotion to the post of Assistant Commissioner Grade-II and also for promotion to the post of Regional Commissioner from 2014 onwards. Hence, she submitted representations dated 11.02.2016 and 15.06.2017 to the respondents. The respondents neither considered the said representations nor considered the case of the petitioner for notional promotion on par with her juniors.

Learned counsel appearing for the petitioner submits that appropriate orders be passed on the said representations submitted by the petitioner directing the respondents to consider her case for notional promotion.

Learned Standing Counsel appearing for the respondents submits that the case of the petitioner would be considered and appropriate orders would be passed on the representations submitted by the petitioner in accordance with rules.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition is disposed of directing the respondents to consider the case of the petitioner

for notional promotion by duly considering the representations dated 11.02.2016 and 15.06.2017 submitted by the petitioner and pass appropriate orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

27th June, 2019
rkk

