

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.14060 of 2019

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

2. This writ petition is filed seeking a writ of Mandamus declaring the action of the 3rd respondent in issuing impugned order, dated 29.05.2019, in promoting Foresters/Forest Section Officers as Deputy Range Officers for the year 2018-2019 who are far juniors to the petitioner, though the petitioner was fully eligible and qualified for promotion as per the orders of the 2nd respondent, dated 01.09.2005, and proceedings, dated 05.08.2017, and no orders of acceptance were communicated by the 6th respondent on the petitioner's relinquishment application, dated 17.08.2010 as arbitrary, illegal and against the principles of natural justice and sought a consequential direction to direct the respondents to consider the representation of the petitioner, dated 06.06.2019, for appointment to the post of Deputy Range Officer.

3. Heard Sri G. Raman Goud, learned counsel for the petitioner and learned Government Pleader for Services-I.

4. It has been contended by the petitioner that he is working as Foresters/Forest Section Officers and he is eligible and qualified to be promoted to the post of Deputy Range Officer, but the respondents have promoted many of his juniors, vide proceedings, dated

29.05.2019, ignoring the case of the petitioner for the financial year 2018-2019. The petitioner submits that during 2010, he has relinquished the promotion to the post of Deputy Range Officer, but the respondents are treating the said relinquishment as permanent and are not considering the case of the petitioner for promotion to the said post. In those set of circumstances, the petitioner submitted a representation to the respondents on 06.06.2019, but the respondents have not passed any orders on the said representation nor considered the case of the petitioner for promotion to the post of Deputy Range officer. Therefore, learned counsel for the petitioner submits that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 06.06.2019 and pass appropriate orders in accordance with law.

5. Learned Government Pleader appearing for the respondents had submitted that the case of the petitioner would be considered and appropriate orders would be passed on the representation submitted by the petitioner in accordance with the rules.

6. This Court, having considered the rival submissions of the learned counsel for respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation, dated 06.06.2019, 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.

7. With these observations, the writ petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

10th July 2019

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