

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
W.P.Nos.36867, 37118, 40803, 41416 of 2017, 5714, 5818, 5995,
6045, 15650 & 16918 of 2018

COMMON ORDER:

Since the issue raised in all these writ petitions is one and the same, they are heard together and being disposed of by way of this common order.

2. The petitioners in all these Writ Petitions are working as Village Revenue Assistants (VRAs). They contend that they are fully eligible and qualified for the promotion to the next higher post of Village Revenue Officer (VRO). The grievance of the petitioners is that the respondents have issued seniority list on 20-10-2017 inviting objections from the candidates whose cases are not included in the seniority list and also from the candidates who are aggrieved by the placement in the said seniority list. Petitioners have filed their objections and thereafter, the respondents have issued another seniority list on 17-11-2017 and once again called for objections from all the candidates who are aggrieved by the said seniority list.

3. The petitioners' principal contention is that in the first seniority list, their names were not included and some of them have challenged the same before this Court in W.P.No.36110 of 2017 and at the intervention of this Court, their names were included in the seniority list, dated 17-11-2017. Petitioners further submit that

without finalizing the seniority list in the cadre of VRA, the respondents are undertaking promotions and challenging the same, all these Writ Petitions are filed.

4. Some of the petitioners are contending that their names should be included and they be considered as eligible for the next promotional post of VRO. They further contend that the respondents, instead of preparing seniority list, after calling objections on earlier two occasions i.e. 20-10-2017 and 17-11-2017 and taking objections from all the candidates, without publishing a comprehensive seniority list, have issued individual rejection orders on 02-01-2018 in respect of some of the petitioners. Therefore, learned counsel for the petitioners contends that the respondents cannot undertake promotions to the next higher post of VRO on regular basis without finalizing the seniority list. Therefore, he sought a direction to the respondents to prepare a comprehensive final seniority list in the cadre of VRA, after taking into consideration the objections filed by the candidates and then only effect promotions to the post of VRO instead of rejecting their cases by individual orders.

5. Learned Government Pleader for Revenue appearing for the respondents submitted that the cases of the petitioners would be considered by taking into account their objections and appropriate orders would be passed and the respondents shall also prepare a final seniority list by considering each of the objections in accordance with law.

6. This Court, having considered the rival submissions made by the respective parties, is of the view that the petitioners or any other VRA, who are aggrieved by their non-inclusion in the final seniority list, shall submit their objections afresh, within two weeks from the date of receipt of a copy of this order and upon such objections being received, the respondents shall re-do the entire exercise of preparing the comprehensive final seniority list in the cadre of VRA in another eight weeks thereafter and then effect promotions to the next higher post of VRO in accordance with law.

7. With the above observations, these writ petitions are disposed of. No order as to costs.

8. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 29-03-2019
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