

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22150 of 2019

ORDER:

Heard Sri CH.Ganesh, learned counsel for the petitioners and the learned Government Pleader for Services-II. With the consent of both the parties, this writ petition is disposed of at the admission stage.

This writ petition is filed seeking the following relief :-

“.....Writ Of Mandamus to declare the action of the respondents in preparing common seniority list of Deputy Executive Engineers belonging to Zone-V & VI, ignoring the Rule 34 and 36 of State by following the Roaster prescribed in Rule 22 of State and Subordinate Service Rules, is highly illegal, unjust and unfair and violation of Rule 34 and 36 of State Subordinate Service Rules and prays to set aside the Tentative integrated seniority list of Graduate Engineers of Mission Bhagiratha issued Memo No.G(2)/MB/DEEs/5555 /2019-Zone-V&VI, dated 21.02.2019 with a direction to prepare the seniority list of Graduate Executive Engineers of Mission Bhagiratha as per Rule by 34 and 36 of State Subordinate Service Rules by applying the principle laid by the Division Bench of this Hon'ble Court in W.P.no.4465 of 2019 dated 9-9-2019 and pass such order.....”

It has been contended by the petitioners that they are working as Deputy Executive Engineers and are aggrieved by the action of the respondents in preparing tentative integrated seniority list of Graduate Engineers of Mission Bhagiratha vide Memo dated 21.02.2019. Petitioners further contend that they have submitted their objections on 07.03.2019 and 18.04.2019. But so far, the respondents have not considered their objections.

Therefore, learned counsel for the petitioners contends that appropriate orders be passed in the writ petition directing the respondents to consider the objections submitted by the petitioners and further direct the respondents to finalise the seniority list of Graduate Executive Engineers in accordance with Rules.

Learned Government Pleader appearing for the respondents submits that the respondents have issued a tentative seniority list inviting objections from the effected persons and after considering the objections from the effected persons, the respondents would prepare final seniority list in accordance with the Rules.

This Court, having considered the rival submissions of the learned counsel appearing for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the objections submitted by the petitioners on 07.03.2019 and 18.04.2019 and prepare the final seniority list in accordance with the Rules.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 17-10-2019
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