

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.27903 OF 2019

ORDER:

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

This writ petition is filed seeking to issue a writ of Mandamus directing the respondents to consider the claim of the petitioners for promotion to the post of Degree Lecturer along with AGP of Rs.9000/- in Pay Band IV, which the petitioners are entitled to and which is being denied for several years, and also declaring the action of the respondents in giving preference to unqualified candidates in the teeth of the available qualified candidates and ignoring the claim of the petitioners totally, as arbitrary and illegal, and sought a consequential direction to direct the respondents to entertain the appeal/representation of the petitioners and pass appropriate orders in a time bound manner on par with the petitioners in W.P.(TR).No.6029 of 2017.

Heard Sri J. Sudheer, counsel for the petitioners, and Government Pleader for Services-I.

It has been contended by the petitioners that they are eligible for promotion to the post of Degree Lecturer along with AGP of Rs.9,000/- in Pay Band IV and even though they are eligible, the respondents are not considering their case for promotion to the post of Degree Lecturer.

Counsel for the petitioners contended that similarly situated candidates filed W.P.(TR) No.6029 of 2017 before this Court and this Court was pleased to dispose of the said writ petition *vide* orders dated

01.11.2019 and therefore, similar orders can be passed in this writ petition also permitting the petitioners to submit an appeal/representation to the 1st respondent within a period of two weeks and upon such appeal/representation, let the 1st respondent consider the same and pass appropriate orders in accordance with law.

Government Pleader appearing for the respondents has not disputed about the submissions of learned counsel for the petitioners. However, Government Pleader contended that if only the petitioners submit a representation, the case of the petitioners also would be considered along with the case of the petitioners in W.P.(TR) No.6029 of 2017.

In view of the above submissions, this Court is of the considered view that this writ petition can be disposed of directing the petitioners to submit their representation/appeal to the 1st respondent within a period of two weeks from the date of receipt of a copy of this order, staking their claim for promotion to the post of Degree Lecturer. Upon such representation/appeal being received, the 1st respondent shall consider the same and pass appropriate orders in accordance with law in another eight weeks thereafter.

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

