

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.27054 OF 2018

ORDER:

This writ petition is filed seeking a writ of Mandamus, declaring the proceedings dated 26.06.2018 and the consequential proceedings dated 10.07.2018 and 24.07.2018 of the 3rd and 2nd respondents, respectively, as illegal, arbitrary, unjust, violative of principles of natural justice and violative of Articles 14 and 16 of the Constitution of India and sought a consequential direction to consider the case of the petitioner for promotion to the post of Tahsildar in terms of the approved final Naib Tahsildar panel for the year 2015-16, dated 10.12.2016, and integrated seniority list dated 12.06.2018 issued by the 2nd respondent, with all consequential benefits.

Heard learned counsel for the parties.

It has been contended by the petitioner that she is fully eligible and qualified for promotion to the post of Tahsildar for the panel year 2015-16 and though the respondents have prepared the integrated seniority list on 12.06.2018, so far they have not considered the case of the petitioner for promotion to the post of Tahsildar strictly in terms of the said integrated seniority list.

Counsel for the petitioner submitted that this Court granted interim order on 02.08.2018 directing the 2nd respondent to keep one post of Tahsildar vacant. Counsel for the petitioner further submitted that ends of justice would be met if appropriate orders be passed in the

writ petition directing the respondents to consider the case of the petitioner for promotion to the post of Tahsildar strictly in terms of integrated seniority list dated 12.06.2018.

Government Pleader for the respondents had contended that the case of the petitioner would be considered in accordance with the Rules.

This Court, having considered the rival submissions of learned counsel for the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the case of the petitioner for promotion to the post of Tahsildar in the existing vacancies, if the petitioner is otherwise eligible, and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

13th August 2019
v v