

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.37057 of 2013

ORDER

This writ petition is filed seeking the following relief:

“....to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing the proceedings No.PA/19(115)/2012-ED:KRZ, dated 14.08.2013 by imposing punishment of deferment of annual increments for a period of two years without cumulative effect is illegal, arbitrary and unjust and consequently set aside the same and direct the respondents to promote the petitioner to the post of Deputy Executive Engineer and pass such further other order or orders as this Hon'ble Court deem fit and proper under the circumstances of the case.”

Heard Sri G.Ravi Mohan, learned counsel appearing for the petitioner and learned Standing Counsel appearing for the respondent-Corporation.

Learned counsel appearing for the petitioner contended that the case of the petitioner for promotion to the post of Deputy Executive Engineer was not considered on the premise that a punishment of deferment of annual increment for a period of two years without cumulative effect was imposed against him *vide* proceedings dated 14.08.2013. It is further contended that since the punishment period was over

with effect from 15.08.2015, the respondent-Corporation be directed to consider the case of the petitioner for promotion to the post of Deputy Executive Engineer, in accordance with Rules.

Learned Standing Counsel appearing for the respondent-Corporation contended that as and when the respondents undertake the exercise of promotions to the post of Deputy Executive Engineer, the case of the petitioner would be considered.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the respondent-Corporation to consider the case of the petitioner for promotion to the post of Deputy Executive Engineer, if not already considered, and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

18th September, 2019
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