GAHC010165892020

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4967/2020

NIKUMONI SAIKIA
D/O- LT. BIDYADHAR SAIKIA, R/O- DERGAON TOWN, WARD NO.8, P.S. DERGAON, P.O. DERGAON, DIST.- GOLAGHAT, ASSAM, PIN- 785614

VERSUS

THE STATE OF ASSAM AND 2 ORS
REP. BY THE COMM. AND SECY., GOVT. OF ASSAM, SOCIAL WELFARE DEPTT., DISPUR, GHY-6

2:THE DIRECTOR
SOCIAL WELFARE ASSAM
UZAN BAZAR
GHY

3:THE ACCOUNTANT GENERAL
ASSAM
BELTOLA
GHY-2

Advocate for the Petitioner : MR. M U MAHMUD

Advocate for the Respondent : SC, AG

:: BEFORE ::

HON'BLE MR. JUSTICE MANOJIT BHUYAN

O R D E R

27.11.2020

Heard Mr. M.U. Mahmud, learned counsel for the petitioner as well as Mr. D. Nath, learned counsel representing respondent nos.1 and 2. Mr. S.K. Hazarika, learned counsel appears for respondent no.3.

The petitioner retired from the post of Child Development Project Officer (CDPO), under the Social Welfare Department, on 31.01.2020. It is stated that in the said post he was promoted on 27.10.2014. Grievance raised is that since her juniors and contemporaries were given promotion as CDPO on 20.01.2006, therefore, benefit of promotion to the post of CDPO should also be granted to her with effect from 20.01.2006, when her contemporaries and juniors were so promoted to the post of CDPO.

On the facts above, this Court is of the clear view that the writ petition requires to be dismissed summarily. It is not only that there has been inordinate delay in approaching this Court, also, in the event the prayer made in the writ petition is allowed, the same would amount to turning back the clock to the year 2006, when during the interregnum period between 2006 and her promotion in the year 2014, many officers must have been promoted to the post of CDPO. If the petitioner is granted benefit of promotion as CDPO with effect from 20.01.2006, the same would only result in disturbing settled position and rights of others, who are not before this Court.

On the above, the writ petition does not merit any consideration and the same stands dismissed, however, without any order as to cost.

JUDGE

Comparing Assistant