

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.806 of 2020

ORDER:

This writ petition is filed seeking the following relief :-

“.....to issue an appropriate writ, order or direction more particularly in the nature of Mandamus declaring the inaction on the part of the respondents in not giving promotion to the petitioner as Tahsildar on par with others as per seniority list having received representation dated 20.8.2018 as being illegal, arbitrary, capricious, *mala fide*, contrary to promotion Rules, Guidelines for promotions, consequently direct the respondents to promote the petitioner as Tahsildar and pass such other order or orders as this Hon'ble Court may deem think fit and proper in the circumstances of the case.”

Heard Mr.M.Mehdi Hussain, learned counsel for petitioner and learned Government Pleader for Services-II appearing for the respondents.

It is the case of the petitioner that earlier, he was involved in a criminal case i.e., C.C.No.256 of 2015, due to which, his case was not considered for promotion to the post of Tahsildar. The Judicial First Class Magistrate, Banswada, acquitted him *vide* order dated 25.6.2018. In spite of the same, the respondents are not considering his case for promotion to the post of Tahsildar. Hence, the petitioner submitted a representation to the respondents on 20-08-2018. But, so far, no orders have been passed thereon.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation dated 20-08-2018 submitted by the petitioner for promotion to the post of Tahsildar.

Learned Government Pleader appearing for respondents contended that the case of the petitioner would be considered and appropriate orders would be passed on the representation submitted by the petitioner.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the 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 by duly passing orders on the representation submitted by the petitioner on 20-08-2018, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 10.01.2020
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