

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.17578 OF 2020

ORDER :

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

Heard Sri Nambi Krishna, learned counsel for the petitioner and the learned Government Pleader for services II.

This writ petition is filed seeking the following relief :-

“.....Writ of Mandamus declaring of 2nd respondent not disposing appeal filed by the petitioner on 22.09.2020 to sanction of 24 years SPP-II under Automatic Advancement Scheme to the petitioner with all consequential benefits and reliefs, as being illegal, arbitrary and discriminatory, unjust and subversive of articles 14, 16 and 21 of the Constitution and principles of natural justice and consequently to direct the 2nd respondent to dispose of the appeal filed by the petitioner on 22.09.2020 to sanction of 24 years SPP-II under Automatic Advancement Scheme to the petitioner with all consequential benefits”

It has been contended by the petitioner that he was appointed as Record Assistant in the 4th respondent school way back in the year 1995 and is suffering with 98% disability. Petitioner further contends that he had submitted a representation on 05.02.2020 to the 4th respondent requesting him to sanction 24 years promotion under Automatic Advancement Scheme. But the 4th respondent rejected the case of the petitioner vide proceedings dated 12.02.2020. Against the same, petitioner preferred an Appeal on 22.09.2020 before the 2nd respondent. The grievance of the petitioner is that the 2nd respondent has not passed any orders on the Appeal preferred by the petitioner so far.

Therefore, learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the 2nd respondent to consider and dispose of the Appeal preferred by the petitioner on 22.09.2020 within a reasonable period.

Learned Government Pleader appearing for the respondents had contended that since the Appeal preferred by the petitioner is pending with the 2nd respondent, the 2nd respondent would consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions, is of the considered view that this writ petition can be disposed of directing the 2nd respondent to dispose of the Appeal preferred by the petitioner on 22.09.2020 within a reasonable period preferably within three (03) months from the date of receipt of a copy of this order.

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

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

ABHINAND KUMAR SHAVILI,J

Date: 06.10.2020
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