

ORDER:

When the matter is taken up for hearing, learned counsel for the petitioner submits that the impugned order is passed denying promotion to the petitioner, without giving any opportunity to the petitioner and without assigning any reasons and, therefore, the same is liable to be set aside on the ground that it is a cryptic and a non-speaking order. He further submits that during the pendency of this writ petition, the petitioner retired from service on attaining the age of superannuation. The only relief now sought by the petitioner is with regard to giving notional promotion. Therefore, appropriate orders be passed in the writ petition by setting aside the impugned order dated 24.01.2003 and further directing the respondents to consider the case of the petitioner for giving notional promotion in accordance with law.

Having considered the above submission, this Court is of the considered view that the impugned order is liable to be set aside as it is a cryptic and non-speaking order without assigning any reasons and accordingly it is set aside. The petitioner is permitted to make a fresh representation seeking notional promotion within two weeks from the date of receipt of a copy of this order. Upon such representation being received, the respondents shall consider the same and pass appropriate orders in accordance with law.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILU, J

