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WMP No.20806, 20808 and 20817 of 2020 in

WP No.25407, 25621 and 27790 of 2007

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D.KRISHNAKUMAR, J.

1. W.M.P.No.20806 of 2020 in W.P.No.25407 of 2007 has been filed to amend the prayer in the writ petition as " to issue a Writ of Mandamus directing the third respondent to forthwith pay notional benefits viz. difference in salary in the post of Assistant, Extension Officer, Deputy Block Development Officer, Block Development Officer, Assistant Director and Joint Director based on the notional promotion granted to the petitioner by the respondents herein with due interest till the date of actual payment".

2. W.M.P.No.20808 of 2020 in W.P.No.25621 of 2007 has been filed to amend the prayer in the writ petition as " to issue a Writ of Certiorarified Mandamus to call for the entire records in Roc.No.1914/2007/PA-1 dated 16.02.2007, including the panel for the year 2007 and ROC No.9581/07/PA-2 dated 18.05.2007 on the file of the third respondent and quash the in so far as the petitioner herein and



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consequently, direct the first respondent to forthwith pay notional benefits viz. difference in salary in the post of Assistant, Extension Officer, Deputy Block Development Officer, Block Development Officer and Assistant Director based on the notional promotion granted to the petitioner by the respondents 1 and 3 with due interest till the date of actual payment".

3. W.M.P.No.20817 of 2020 in W.P.No.27790 of 2007 has been filed to amend the prayer in the writ petition as " to issue a Writ of Certiorarified Mandamus to call for the entire records in Roc.No.1914/2007/PA-1 dated 16.02.2007, including the panel for the year 2007 and ROC No.1914/07/PA-1 dated 07.06.2007 on the file of the second respondent and quash the in so far as the petitioner herein and consequently, direct the first respondent to forthwith pay arrears of difference in salary in the post of Assistant, Extension Officer, Deputy Block Development Officer, Block Development Officer based on the notional promotion granted to the petitioner by the second respondent with due interest till the date of actual payment.



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4. The learned Government Advocate objected that the present petitions are not maintainable for the reason that the relief sought for in the writ petitions are already granted to the petitioners and hence the petitions are liable to be dismissed.

5. In the present petitions, the petitioners have raised the ground that the respondents have granted only notional promotion, but, the petitioners are entitled for all the monetary benefits, on par with the Juniors, from the date of promotion as Block Development Officer/ Assistant Director/Joint Director. The writ petitions have been filed challenging the impugned orders and consequently prayed for direction to the respondents to consider the name of the petitioners for promotion to the post of Block Development Officer/ Assistant Director/Joint Director with all monetary benefits.

6. According to the petitioners, the monetary benefits includes revised scale of pay from the date on which the Juniors being promoted to the post of Block Development officer/ Assistant Director/Joint



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Director. However, with abandoned caution, the petitioners have filed the present petitions to amend the prayer in the writ petitions.

7. Heard the learned counsel for both sides and I have perused the materials on record.

8. Considering the facts and circumstances of the case and also taking into account the submissions made by both the counsels, this court is of the view that, if the petitions are allowed, no prejudice would be caused to the respondents, since the respondents have given only notional benefits.

9. Hence, all the writ miscellaneous petitions are allowed.

17.11.2021

mst

Note: Registry is directed to make necessary amendment.



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