

2024:PHHC:004244
CWP-1279-2019
Date of Decision: 12.01.2024

...Petitioner

...Respondents

2024:PHHC:004245
CWP-1815-2019
Date of Decision: 12.01.2024

...Petitioner

...Respondents

3. Learned counsel submits that junior of the petitioner was further promoted from the post of Senior Assistant to the post of Superintendent Grade-II on 31.12.2013 and thus, the petitioner has also a substantive right in her favour for consideration for promotion from the date his junior was further promoted to the post of Superintendent Grade-II .

4. The respondents have in their response stated that the petitioner could not be considered at that relevant time as her name was not falling in the seniority list.
5. I have considered the submissions.
6. Since the respondents themselves has realized the mistake and granted retrospective promotion to the petitioner from 01.04.2005 i.e. the date her junior was promoted as Senior Assistant, he would also be entitled to consequential consideration for promotion on the higher post on which her junior was promoted. Since, the petitioner was in regular service as on 31.12.2013 i.e. the date on which her junior was promoted to the post of Superintendent Grade-II, the petitioner too has a right for consideration of her case for promotion from the said date on the post of Superintendent Grade-II. If the petitioner’s service record is clean, the respondents would consider her case for promotion accordingly and grant her all consequential benefits. If the petitioner is found suitable for promotion, she would also be entitled to arrears on account of revision of pay as well as her pension and in such eventuality, the entire exercise shall be completed within three months.
7. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

12.01.2024
rajesh

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|-------------------------------|---|--------|
| 1. Whether speaking/reasoned? | : | Yes/No |
| 2. Whether reportable? | : | Yes/No |