

(2010) 08 SHI CK 0080
In the High Court Of Himachal Pradesh
Case No : C.W.P. (T) No. 4970 of 2008

Bhagat Ram

APPELLANT

Vs

State of Himachal Pradesh and Others

RESPONDENT

Date of Decision : 30-08-2010

Acts Referred:

Citation : (2010) 08 SHI CK 0080

Hon'ble Judges : Rajiv Sharma, J

Bench : Single Bench

Judgement

Rajiv Sharma, J.—The present petition is filed with the following reliefs:

(i) That the final seniority list circulated vide order dated 13.10.1997 (Annexure A-1) to the extent impugned may be quashed and set aside.

(ii) That the respondents may be directed to redraw the seniority list by placing the applicant above respondent No. 4 with all consequential benefits.

2. Respondents Nos. 1 and 2 in reply to paras 6(xx) and (xxi) have filed the following reply:

(xx) The contents of this sub-para are not denied. However, it is submitted that representation Annexure A-15 was considered by the replying respondents and in the absence of non-submission of relevant documents the same was rejected and final seniority list circulated on 13.10.1997. Now the said final seniority list is being revised on coming into notice the factual service particulars of both the officials.

(xxi) Since the seniority list is being revised in which the applicant will be shown senior to respondent No. 4, therefore, the present O.A. has become infructuous which may kindly be dismissed in the interest of justice.

3. In view of the specific undertaking given by respondents Nos. 1 and 2 as enumerated hereinabove, the petition is disposed of with a direction to the

respondents Nos. 1 and 2 to do the needful as undertaken by them in the reply by assigning correct seniority to the petitioner, within a period of 12 weeks from today. Needless to add that the petitioner shall be held entitled to all the consequential benefits after refixing his seniority including the promotion from due date. The pending application(s), if any also stands disposed of. There shall be no order as to costs.