

(2012) 03 SHI CK 0277
In the High Court Of Himachal Pradesh
Case No : CWP No. 3144 of 2010-D

Dharam Vir Gupta

APPELLANT

Vs

Himachal Pradesh State Electricity Board

RESPONDENT

Date of Decision : 09-03-2012

Acts Referred:

Citation : (2012) 03 SHI CK 0277

Hon'ble Judges : Kurian Joseph, C.J.; Dharam Chand Chaudhary, J

Bench : Division Bench

Judgement

Justice Kurian Joseph, C.J.—Writ petition is filed with the following prayers:- i) That writ in the nature of certiorari may kindly be issued, declaring the entire process of relaxation of the rules and regulations, so as to benefit the private respondents, as were framed by the respondent board while issuing the seniority list, by quashing the impugned seniority list dated 23.4.1999 Annexure P-6, and to quash the revised seniority list dated 6.8.2009 Annexure P-9 whereby the present petitioner has been made junior to his junior i.e. junior to respondents No. 62, 63 and 64.

ii). That writ in the nature of mandamus may kindly be issued, directing the respondents to allow the representation of the petitioner Annexure P-10 and Annexure P-12, by enhancing the benefit of the judgment of this Hon'ble Court as has been passed in CWP (T) No. 5087 of 2008, as was filed by the respondents number 62, 63 and 64 along with other 1998 batch direct appointees, and to place the petitioner in the revised seniority list Annexure P-9 below the Er. Jaswant Singh at Serial number 49-e and above the Er. Ajay Kumar, at serial number 49-f, in accordance with law.

On 17.6.2010, this Court passed the following orders:-

Out of all the nine incumbents, who are affected, we are informed that the petitioner is the only one left and in the case of eight others, seniority has already been revised and the petitioner is similarly situated. There will be an

interim direction to extend a similar treatment to the petitioner herein also as the other eight persons, provisionally and subject to the result of the writ petition.

Post along with LPA No. 141 of 2009.

2. We are informed that subject to the outcome of LPA No. 141 of 2009, the case of the petitioner has been considered. Therefore, writ petition is disposed of, making it clear that the benefits granted to the petitioner will be subject to the outcome of LPA No. 141 of 2009. In view of disposal of main petition, the pending application(s), if any, also stand disposed of.