
(2010) 11 SHI CK 0017
In the High Court Of Himachal Pradesh
Case No : CWP (T) No. 7280 of 2008

Gurmukh Singh

APPELLANT

Vs

State of H.P. and Another

RESPONDENT

Date of Decision : 30-11-2010

Acts Referred:

Citation : (2010) 11 SHI CK 0017

Hon'ble Judges : Kurian Joseph, C.J;V.K. Ahuja, J

Bench : Division Bench

Judgement

V.K. Ahuja, J.—The writ petition has been filed with the following prayers:

That the applicant may kindly be promoted as Deputy Secretary being senior most Assistant Secretary and holding due qualifications and merits and also as per decision of Apex Court aforesaid and the impugned seniority lists Annexures A-3 to A-8 may kindly be modified/corrected accordingly.

2. In reply, at paras 1 and 2, it is stated as follows:

1. The application is not within time. The last objections raised by the applicant to the latest provisional seniority list circulated on 21.11.1997 were considered and rejected and intimation of rejection was given to the applicant vide letter No. HB(1) Estt. G.F-42(Vol-III)/98-7076 dated 22.6.1998.

2. The applicant was promoted to the post of Assistant Secretary on 27.1.1988 on the basis of final seniority list of Section Officers against the reserve point meant for Scheduled Caste since the applicant belongs to the category of Scheduled Caste. The applicant stood at No. 6 of the final seniority list of Assistant Secretaries as it stood on 30.11.1991 (Annexure A-1) of the O.A. The Seniority of the applicant was revised inter-alia in accordance with the instructions contained in the letter of the Govt. of Himachal Pradesh vide No. PER (AP)C-F(1)-1/95 dated 27.5.1996. The final seniority list of Assistant Secretaries was, therefore, issued in view of the instructions of the Government of Himachal

Pradesh referred to above and the applicant was placed at Sr. No. 7 of the said final seniority list as it stood on 14.6.1996 (Annexure A-2 & A3 of the O.A.).

3. In case the Petitioner has any dispute with regard to the factual and legal position, as stated above, it will be open for him to approach the first Respondent, in which case the matter will be duly considered by the first Respondent with notice to the Petitioner and other affected party and appropriate action in accordance with law will be taken within four months thereafter.

4. The writ petition stands disposed of, so also the pending application(s), if any.