

(2010) 10 SHI CK 0311
In the High Court Of Himachal Pradesh
Case No : CWP (T) No. 5140 of 2008

Jai Pal Singh and Another

APPELLANT

Vs

H.P. University and Others

RESPONDENT

Date of Decision : 27-10-2010

Acts Referred:

Citation : (2010) 10 SHI CK 0311

Hon'ble Judges : Kurian Joseph, C.J;Kuldip Singh, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The writ petition is filed with the following prayers:

- i) Quash and set aside the orders, dated 21.5.1996 contained in Annexure P-19 supra;
- ii) Quash and set aside the orders, dated 23.2.1995 contained in Annexure P-20 supra;
- iii) Direct the respondents No. 1 and 2 to promote the applicants to the post of Senior Assistants in the pay scale of Rs. 1800-3200 in the respondent-University, in accordance with law against the roster points reserved for the category of the Scheduled Caste to which category the applicants belong;
- iv) Direct the respondents No. 1 and 2 to grant the benefit of seniority after counting adhoc service rendered by the applicants in the cadre of Clerks with effect from 28.3.1981 for all intents and purposes;
- v) Declare the applicants deemed to have been promoted to the posts of Clerks with effect from 28.3.1981 of the date of their initial appointment/promotion though they have qualified the typing test in accordance with rules at the subsequent date.

2. According to the petitioner, in view of the treatment already granted to the petitioner as per Annexure P-18, when his ad-hoc service was counted for

promotion to the post of Junior Assistant, he is entitled to have similar treatment in the matter of promotion to the post of Senior Assistant, as well, when his juniors have been promoted. There is no reply. It is seen that the petitioner's representation Annexure P-23, is pending before 1st respondent. There will be a direction to first respondent to look into Annexure P-23 with notice to the petitioner and any other affected party and take appropriate action in accordance with law within a period of four months from the date of production of a copy of this judgment along with a copy of the writ petition by the petitioner. In the process, Annexure P-9 and any other relevant material will also be taken into consideration.

4. With these observations, the petition stands disposed of, so also the pending application(s), if any.