
(2010) 03 SHI CK 0167
In the High Court Of Himachal Pradesh
Case No : C.W.P. No. 427 of 2008

Sh. Govind Ram

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 25-03-2010

Acts Referred:

Citation : (2010) 03 SHI CK 0167

Hon'ble Judges : Kuldip Singh, J; Dev Darshan Sood, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

Dev Darshan Sud, J.—The petitioner is aggrieved by the dismissal of his petition instituted before the Administrative Tribunal on the ground that it is barred by limitation. The petitioner claimed two reliefs in Writ Petition.

1. To quash the impugned order dated 9-10-07 Annexure-P/2 passed by the Hon'ble H.P. Administrative Tribunal, Shimla in OA No. 81 of 1993.

2. To allow all the reliefs claimed by the petitioner in OA No. 8 of 1993.

2. The Tribunal found that the seniority list of 1963 which is the basis of the claim of the petitioner can not be interfered in the year, 2007 after a period of more than 44 years. We do not find any fault with this reasoning of the Tribunal.

3. Second contention of the learned Counsel appearing on behalf of the petitioner is that he is not challenging the seniority list, but challenging non grant of promotions to which he was entitled. On facts, what emerges is that the next post to which the petitioner was entitled to was the post of Head Constable. It is undisputed before us that before he could be considered for promotion to this post, he has to pass the B-I test. Admittedly, he has not done so. In these circumstances, we do not find any merits in this Writ Petition. The Writ Petition is dismissed accordingly. There is no order as to costs. All miscellaneous applications stand disposed of. All the interim order(s) stand vacated.