

(2020) 10 SHI CK 0140
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 3101 Of 2019

Shivender Doegar

APPELLANT

Vs

State Of H.P. And Others

RESPONDENT

Date of Decision : 15-10-2020

Acts Referred:

Citation : (2020) 10 SHI CK 0140

Hon'ble Judges : L. Narayana Swamy, CJ;Anoop Chitkara, J

Bench : Division Bench

Advocate : Aman Parth Sharma, Ashok Sharma, Adarsh K. Sharma, Ritta Goswami, Nand Lal Thakur, Vikrant Thakur

Final Decision : Disposed Of

Judgement

L. Narayana Swamy, CJ

1. By way of the instant writ petition, the petitioner, who is working as a Principal, has approached this Court for setting aside notification dated 4th October, 2014 (Annexure P-8) whereby some of the Group Instructors/Foremen have been promoted to the posts of Principal ITI (Class-I) Gazetted and office order, dated 3rd May, 2019 (Annexure P-7), whereby his representation has been rejected. A direction has also been sought to respondents-State to finalize the provisional seniority list.

2. Learned counsel for the petitioner submits that though, the writ petition has been filed in the year 2019, but, during the pendency of the writ petition, the respondents have published the provisional seniority list on 30th June 2020 calling for the objections, if any. Consequently, the petitioner has filed objections to the provisional seniority list on 7th July, 2020, but, so far no final seniority list of the Principal cadre has been published by the respondents.

3. Under these circumstances, it has been prayed that the respondents-State be directed to consider the objections filed by the petitioner to the provisional seniority list, dated 30th June, 2020, pertaining to the Principal cadre.

4. Learned Additional Advocate General appearing for respondents-State submits that in case the objections filed by the petitioner have not been considered and the final seniority list has not yet been published, then, the respondents shall consider the objections filed by the petitioner.
5. In the light of the above submissions, the writ petition is disposed of with a direction to the respondents that in case the objections filed by the petitioner on 7th July, 2020, to the provisional seniority list, dated 30th June, 2020 of the Principal cadre, have not been considered and the final seniority list has not been published, then the same be considered, in accordance with law, and the final seniority list be issued/published.
6. Needless to observe that the petitioner will be at liberty to challenge the decision to be taken by the respondents, if still aggrieved.
7. Pending miscellaneous applications, if any, are also disposed of accordingly.