
(2011) 09 SHI CK 0260
In the High Court Of Himachal Pradesh
Case No : CWP (T) No. 8909 of 2008

Tilak Raj	Vs	APPELLANT
The State of H.P. and Others		RESPONDENT

Date of Decision : 01-09-2011

Acts Referred:

Citation : (2011) 09 SHI CK 0260

Hon'ble Judges : V.K. Sharma, J

Bench : Single Bench

Judgement

V.K. Sharma, J.—The petition has been filed on the following prayers vide para 7(i) (ii) and (iii):

7(i) That the letter dated 8-1-2003 (Annexure/A-4), letter dated 1-3-2004 (Annexure/A-5) and letter/order dated 29-3-2005 (Annexure/A-8) issued by the Respondent No. 3 and the order dated 21-8-2006 (Annexure/A-10) passed by the Respondent No. 2 may kindly be quashed.

(ii) That the Respondents may kindly be directed to place the applicant at appropriate place in the seniority list of Patwaries on the basis of the date of qualifying the Patwar Examination i.e., by making modification in Annexure/A-6 alongwith all consequential benefits.

(iii) That the Respondents may further be directed to consider the date of regular appointment of the applicant as on 20-2-1990 for all purposes.

2. In reply, the Respondents have taken the following stand vide para 3:

3. In reply to this para it is submitted that the name of the applicant in the seniority list of patwaris as it stood on 31.12.2000 has rightly been figured at serial No. 436 as he was appointed as patwari in this Department w.e.f. 24.10.1996 and prior to the regular appointment of patwari he had worked as casual patwari on daily rate basis till his regular appointment of patwari against the sanctioned post for Kangra Division settlement operations. In view of this

position the seniority list of Settlement Patwaris as it stood on 31.12.2000 is legal justified and valid which required not to be disturbed.

3. In view of the above reply, in case the Petitioner still has any surviving grievance with regard to the factual and legal position, he may certainly point out the same before the Respondents/competent authority by way of appropriate representation supported by documents, if any, alongwith copy of this judgment within a month from today, who shall consider the same and take a final decision in the matter within further three months in accordance with law, after affording an opportunity of being heard to the Petitioner, if so desired.

4. The petition stands disposed of in the above terms, so also pending CMP(s), if any.