

W.P.No.4510/2010 (S) (Surendra Singh & Ors. Vs. State of M.P. & Ors.)

1

14.6.2016.

Shri S.S.Rawat, learned counsel for the petitioners.

Shri Praveen Newaskar, learned Govt. Advocate for respondents/State.

This writ petition has been filed by three petitioners on the ground that they were working as Revenue Inspector and their case was not considered for promotion to the post of ASLR (Assistant Superintendent Land Record). Being aggrieved by this denial of promotion without assigning any reason, petitioners filed this writ petition.

Respondents have filed return and have mentioned that ACRs of petitioners No.1 and 2 were not available, and therefore, DPC was conducted through circulation and they have been promoted. As far as petitioner No.3 is concerned, he was not found fit for promotion by the DPC. Now the only controversy which remains to be settled is that according to the petitioners, the promotion order, Annexure R/2, has been given effect from 26th February, 2011. This is not correct inasmuch as a bare reading of the order categorically states that petitioners have been granted proforma promotion and their placement has to take place over their next juniors who were considered and promoted in terms of DPC dated 22.6.2009 in terms of which order dated 15.12.2009 was issued. Therefore, the contention of the petitioners that there will be loss of seniority to petitioners No.1 and 2 on account of promotion order, Annexure R/2, is not correct. As petitioners No.1 and 2 have already been granted promotion, this petition has been rendered infructuous as far as petitioners No.1 and 2 are concerned. Petitioner No.3 was not found fit by the DPC, therefore, petitioner No.3, if so advised, may obtain the reasons for declaring him not fit and challenge the same.

With the aforesaid, petition is disposed of.

(Vivek Agarwal)
Judge

ms/-