

Date of decision: 30-4-96

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Coram: S.K. KESHOTE, J  
(30-4-1996)

Mr. P.J.Vyas for the petitioners.  
Ms. Sejal Mandavia for the respondents.

ORAL JUDGMENT:

Heard the learned counsel for the parties.  
It is not in dispute that name of respondent No.4  
has been ordered to be deleted on 16-7-1990 by this Court.

Counsel for respondents No.1 to 3 made statement before the Court that petitioner No.1 has already been promoted to the post of Shirestdar in the year 1993. Petitioner No.3 sought voluntary retirement which has been granted. It has further been stated that petitioners have already been given deemed date of promotion from 11-9-1979. So far as rest of the reliefs are concerned, the necessary exercise will be taken within reasonable time. Learned counsel for the petitioners does not dispute this statement made on behalf of the respondents. The only apprehension which has been expressed by him before the Court is that the petitioners are likely to retire in the near future and in case necessary directions are not issued by this Court to consider the matter relating to further claims after deemed date of promotion the respondents are not likely to pass any order. I find sufficient merit in the apprehension of the learned counsel for the petitioners.

2. The respondents are directed to consider the case of the petitioners for their further claims in accordance with law within reasonable period. At this stage the learned counsel for the petitioners states that he does not press the prayer which has been made in para 13(B). Accordingly the writ petition is dismissed to the extent the prayer made in para 13(B). So far as the other prayers are concerned, the petition is disposed of with the directions that the respondents will consider the case of the petitioners for further claims after having been given deemed date of promotion from 11-9-1974 within a period of three months. Rule made absolute in the aforesaid terms. No order as to costs.