

WP(C) 2561/2009

BEFORE

HON'BLE MR. JUSTICE AMITAVA ROY

Heard Mr. S.K. Medhi, learned counsel for the petitioner, also Mr. Sarma, learned State Counsel.

Considering the nature of the grievance and the relief prayed for, this petition is being disposed of at the admission stage.

Shortly put, the run up facts to the instant petition can be traced back to the year 1969 when the petitioner was appointed as Assistant Sub-Inspector of Police with the respondent-Department. He continues as such since then, till date as his retirement from service looms in February, 2010.

According to the petitioner, he has, in the meantime passed all departmental examinations as are considered necessary to qualify him for being considered for promotion to the next higher post of Sub-Inspector of Police. Though, he has been eligible to be so considered in the year 1972, he has since been overlooked by the respondent authorities without any justification whatsoever. His repeated representations have also failed to yield any result. As his date of retirement is fast approaching, the petitioner being without any alternative, has approached this Court for redress.

According to the petitioner, his last representation dated 07.03.2009 submitted before the Deputy Inspector General of Police (Admn.), Assam is pending for consideration.

Upon hearing the learned counsel for the petitioner and on a consideration of the pleaded facts, this Court is of the view that it would be expedient, if this petition is closed with a direction to the aforementioned authority to consider and dispose of the petitioner's representation on merit.

Needless to say, if under the relevant service rules, his seniority permitting, the petitioner is entitled to the promotion to the rank Sub-Inspector of Police, the concerned respondent-authorities would do the needful to ensure that he is not meted out any discrimination, vis- -vis other similarly situated candidates.

This is however, subject to any other impediment in law in the process. As the petitioner is scheduled to retire by February, 2010, the process as above, should be completed within a period of three weeks from the date of receipt of the certified copy of this order.

The petition stands disposed in the above terms. No costs.