

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

CWP No. 10351 of 2011-F.
Decided on: November 30, 2011.

Uday Bhanu.

Vrs.

State of H.P. & anr.

Coram

The Hon'ble Mr. Justice Kurian Joseph, Chief Justice.

The Hon'ble Mr. Justice Rajiv Sharma, Judge.

For the petitioner: Mr. Lokender P. Thakur, Advocate.

For the Respondents: Mr. R.K. Bawa, AG with Mr. J.K. Verma, Dy. AG.

Justice Kurian Joseph, C.J. (Oral)

The writ petition is filed mainly with the following prayer:-

“i) That a writ be issued to the respondent to convene a DPC for the post of Principal on regular basis in view of the instruction issued by the Govt. of H.P. and petitioner be promoted on regular basis as Principal with all consequential benefits.”

2. It is submitted that the petitioner belongs to the SC community and once the DPC is convened, he is sure to get the promotion. It is also submitted that despite availability of vacancy, no DPC has been convened. The petitioner is adversely affected on account of the delay and that he is to retire shortly. There will be a direction to the first respondent to look into the matter, take steps to convene the DPC and for filling up the available posts, if the posts are to be filled up. Steps, as above shall be taken and completed within a period of one month from the date of production of copy of this judgment along with copy of the writ petition, by the petitioner before the first respondent. Needless to say, the steps will be taken in the matter of selection and appointment, as per the roster. In case there is delay in filling up the posts and in case an employee happens to otherwise retire without actually getting the benefit of promotion by holding the post, the officers responsible for such delay will be personally liable for the costs and consequences thereof.

3. The writ petition is disposed of, so also the pending application(s),
if any.

(Justice Kurian Joseph),
Chief Justice.

November 30, 2011.
(vs)

(Justice Rajiv Sharma),
Judge.