

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH
AT JAIPUR.**

ORDER

S.B. CIVIL WRIT PETITION NO. 5081/2014

JAIPAL SINGH
VS.
MANAGING DIRECTOR & PRESIDENT, RAJASTHAN STATE ROAD
TRANSPORT CORPORATION & OTHERS.

DATE OF ORDER : 31.07.2014

HON'BLE MR. JUSTICE MOHAMMAD RAFIQ

None present for the petitioner.

BY THE COURT:

This writ petition has been filed by the petitioner being aggrieved by non-grant of benefit of selection grade on completion of 19 years of service. Second selection grade has become due to the petitioner w.e.f. 22.07.2006. It is contended that at the maximum, the respondents can delay his second selection grade by two years in view of the penalty of withholding of two annual grade increments with cumulative effect imposed upon him. It is contended that grant of selection grade cannot be delayed due to imposition of penalty. The petitioner has relied upon the decision dated 30.09.2011 rendered by the Hon'ble Supreme Court in the case of State of Rajasthan & Others Vs. Shankar Lal Parmar (Civil Appeal No. 8404/2011). It is contended that the respondents ought to have considered the matter of petitioner as despite the penalty, if regular promotion had taken place, for which criteria is seniority cum merit, the same could not be delayed or denied due the minor penalty.

Having regard to the facts aforestated, the petitioner is required to approach the Managing Director, Traffic, RSRTC, Jaipur by way of filing representation who shall examine the case of the petitioner in the light of aforesaid facts and decision and decide the representation by passing speaking order addressing grievances of the petitioner within a period of two months.

With the aforesaid direction, writ petition is disposed of.

(MOHAMMAD RAFIQ),J.

Manoj, S.NO.84....

"All corrections made in the judgment/order have been incorporated in the judgment/order being emailed."

*MANOJ NARWANI
Personal Assistant.*