

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

**WRIT PETITION (SB) No. 368 of 2015**

Vikas Bhatt and others.

.....Petitioners.

Versus

State of Uttarakhand and another.

.....Respondents

Mr. Bhagwat Mehra, Advocate for the petitioners.

Mr. P.C. Bisht, Standing Counsel for the State of Uttarakhand / respondents.

**Coram :**     **Hon'ble K.M. Joseph, C.J.**  
                  **Hon'ble V.K. Bist, J.**

**JUDGMENT**

**Date: 31<sup>st</sup> August, 2015**

**K.M. Joseph, C.J. (Oral)**

Substantial grievance of the petitioners is that promotional exercise to the post of Head of Department (Computer Science and Engineering) is not being done and they, accordingly, seek the following reliefs:

“A. To issue a writ order or direction in the nature of mandamus declaring the inaction on the part of the Respondents in holding promotion exercise for filling available vacancies on the post of Head of Department (Computer Science and Engineering) despite availability of as many as 14 vacancies, as arbitrary and illegal.

B. To issue a writ order or direction in the nature of mandamus commanding the Respondent No. 1 to forthwith hold promotion exercise for filling available vacancies on the post of Head of Department (Computer Science and Engineering) to ensure that no eligible officer is denied his valuable right of being considered for promotion.

C. To issue a writ order or direction in the nature of mandamus commanding the Respondent No. 1 to consider and promote the petitioners to the post of Head

of Department (Computer Science and Engineering) from due date, along with all consequential benefits.”

2. We heard the learned counsel for the petitioners and the learned Standing Counsel for the State of Uttarakhand also.

3. Reliance is placed on Annexure-9.

4. We dispose of the writ petition by directing respondent no. 1 to consider and take a decision on Annexure -5 representation in accordance with law within a period of six weeks from the date of production of a certified copy of this judgment.

**(V.K. Bist, J.)**  
**31.08.2015**

**(K.M. Joseph, C.J.)**  
**31.08.2015**

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