

W.P.(C) No. 998 of 2006

**BEFORE
THE HON'BLE MR. JUSTICE N. KOTISWAR SINGH
(Oral)**

22.05.2017

Heard Mr. HS. Paonam, learned senior counsel assisted by Mr. A. Arunkumar, learned counsel appearing for the petitioner and Mr. Y. Ashang, learned G.A. appearing for the respondents.

[2] In this writ petition, the petitioner is claiming for consideration of his case for regular promotion to the higher post of Extension Officer (E.O.) as per relevant Recruitment Rules with a specified time frame.

[3] The petitioner claims that he is presently serving as a Village Level Worker (VLW) on regular basis having been appointed in the year 1997. As per the relevant Recruitment Rules for the post of E.O., the said post of E.O. is to be filled up by way of promotion from amongst the VLWs under the quota of 75% of the posts reserved for graduate VLWs with 7 (seven) years regular service in the grade and trained in Integrated Training Course in Gram Sewak Training Centre at Jorhat (Assam) or at Iroisemba (Manipur) and the remaining 25% from non-matriculate VLWs. The petitioner claims that he is a post graduate and as such, he is entitled to be considered for promotion under the 75% quota. The petitioner submits that he fulfills all the required conditions.

[4] If that is so, the present writ petition can be disposed of with the direction to the respondent authorities to consider the claim of the petitioner along with other eligible candidates, if there are vacant posts of E.O. available for promotion to the said post as it is well settled that the right to be considered for promotion to higher posts is a Fundamental Right if one is eligible and within the zone of consideration.

[5] Accordingly, writ petition is disposed of with the direction to the respondent authorities to consider the case of the petitioner along with other eligible candidates for promotion to the posts of E.O. if there are regular vacancies available, as expeditiously as possible.

JUDGE

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