

Serial No. 55
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 378 of 2019

Date of Decision: 30.11.2022

Shri Subastinza T. Sangma Vs. State of Meghalaya & Ors.

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. P.T. Sangma, Adv.

For the Respondent(s) : Ms. S. Bhattacharjee, GA

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| i) | Whether approved for reporting in Law journals etc: | Yes/No |
| ii) | Whether approved for publication in press: | Yes/No |

JUDGMENT AND ORDER (ORAL)

1. This matter which is the third round of litigation has been filed by the petitioner for promotion to a Group D post. This Court by the order dated 21.05.2019, had reiterated the earlier order of this Court for promotion to Group D post to be accorded as and when vacancy

arose, taking into consideration the seniority and efficiency, of the petitioner

2. Mr. P.T. Sangma, learned counsel for the petitioner submits that presently there are 2 vacant posts for which the respondents in spite of the Court's order have not taken any action to consider the petitioner for promotion.

3. On the other hand, Ms. S. Bhattacharjee, learned GA for the State respondents, submits that as per the scheme of appointment, the petitioner is now placed at Serial No. 2 in the seniority list, and would be considered in due course. She further submits that the said 2 vacancies presently have been filled up; one by direct recruitment through District Selection Committee (DSC) and the other on promotion by the senior most Regular Casual Worker (RCW), as such she submits that no illegality has been committed, and the case of the petitioner is under active consideration.

4. Heard the learned counsels for the parties.

5. Though, it has been strenuously argued by the learned counsel for the petitioner that there has been a deprivation and discrimination against the writ petitioner, however the records speak otherwise, inasmuch as, the orders of this Court are still operating for

consideration of promotion of the petitioner as and when vacancy arises.

6. Keeping this matter pending would be a futile exercise and the same is disposed of, and as the writ petitioner is placed at Serial No. 2, in the seniority list of RCW, it is hoped that as and when vacancy arises, he will be considered and accommodated against the same.

7. The matter is accordingly disposed of.

JUDGE

Meghalaya
30.11.2022
"V. Lyndem-PS"

