

O.A.No.748/2020 (D.B.)

Coram:Shri A.D.Karanjkar, Member (J)
Dated :08/12/ 2020.

Heard Shri A.C.Dharmadhikari, the Id. Counsel for the applicant, Shri S.A.Deo, the Id. C.P.O. for the respondent nos. 1 & 2 and Shri N.R.Saboo, the Id. counsel for the respondent no. 3.

2. It is contention of the Id. C.P.O. that due to order dated 05.11.2020, entire promotion process is stopped and, therefore, the department is suffering. After hearing the submissions it seems that the dispute is whether the applicant is holding the qualification to be promoted to the post of Deputy Director, Town Planning on 01.09.2019. It is contention of the applicant that he has acquired Post Graduate degree in July, 2017 and, therefore, at the time of meeting of the establishment board; the applicant had completed three years service after obtaining Post Graduate degree; so he was qualified and eligible to be considered for the promotion.

3. It is grievance of the applicant that the respondent no. 3 was junior to him in the cadre and the respondent no. 3 has not cleared his probation period on 01.09.2019 and inspite of it he was considered for the promotion and this is illegality in the approach of Respondent nos. 1 & 2.

4. Today, the matter is heard by me alone as Administrative Member is on leave, considering the urgency of the Respondent no. 1 to issue promotion

orders, the order dated 05.11.2020 is modified as under:-

"The Respondent no. 1 is permitted to issue promotion orders subject to keeping 01 promotional post out of the 13 posts vacant and issue of seniority of the applicant be kept open till the final disposal of the original application."

5. **S.O. 21.12.2020 for final hearing.**

6. **Steno copy is granted.**

Date:-08/12/2020.

aps.

Member (J)