

IN THE HIGH COURT OF DELHI AT NEW DELHI

SUBJECT : SERVICE MATTER

WP(C).No.8180/2008

Date of Decision : November 19, 2008

T.P. Suyal and Ors.

Petitioners

Through: Mr. Ashok Gurnani, Advocate.

Versus

Indian Institute of Public Administration and Ors. Respondents

Through: Mr. B.T. Singh for respondent No. 1.
Ms. Lata Gangwani for respondent
No. 2.

S.N. AGGARWAL, J. (Oral)

CM No. 15740/2008 (Exemption) in WP (C) No. 8180/2008

Exemption as prayed for is granted subject to all just exceptions.

WP (C) No. 8180/2008

1. The petitioners, who are 18 in number, have filed this writ petition against the respondents seeking quashing of order dated 03.09.2008 (Annexure- I at pages 106 of the paper book) and for directions to the respondents to create promotional avenues for the petitioners as per the position prior to 27.09.2004

2. Mr. Ashok Gurnani learned counsel appearing on behalf of the petitioners has contended that the impugned order dated 03.09.2008 passed by the respondents is not in terms of the order of this Court passed on 29.04.2008 in WP(C) No.654/2008. Mr. Gurnani has submitted that the respondents have not considered the promotional avenues available to the petitioners consequent upon merger of two isolated posts of Receptionist-cum-Telephone Operator and second of Hindi Translator in the ministerial cadre.

3. The petitioners belong to the ministerial cadre of staff in the Indian Institute of Public Administration. Their grievance is against the encadrement of two isolated posts of Receptionist-cum-Telephone Operator and of Hindi Translator in the ministerial cadre as there were no promotional avenues available for these isolated posts. The petitioners apprehend that because of encadrement of above two isolated posts in the ministerial cadre, their promotional avenues in higher post are likely to be adversely affected. This

Court vide its order passed on 29.04.2008 in the earlier writ petition filed by the petitioners being WP(C) No.654/2008 had directed the respondents to treat the petitioners' earlier writ petition as a representation and examine whether there are sufficient promotional avenues available to the petitioners and take action, if required. It was made clear in the earlier order dated 29.04.2008 that the respondents need not reopen the encadrement done pursuant to Resolution dated 27.09.2004 In compliance with the said order of this Court, the Standing Committee as well as the Executive Council of the respondents have reconsidered the promotional avenues available to the petitioners in the ministerial cadre and the decision taken by them are at pages 112 and 121 of the paper book. A perusal of the said decision of the Standing Committee and also of the Executive Council of the respondents would reveal that the promotional avenues available to the petitioners in the ministerial cadre are not going to be affected in any manner by encadrement of the two isolated posts of Receptionist-cum-Telephone Operator and of Hindi Translator in the ministerial cadre. Needless to state that the petitioners have ample promotional avenues for their promotion from class IV to the post of ?LDC, from LDC ?to ?UDC, ?from ?UDC ?to ?Assistant and from Assistant to the post of Superintendent and so on so forth. Merger/encadrement of two isolated posts in the ministerial cadre does not affect the promotional avenues of the petitioners in any manner.

4. In view of the above, I do not find any irregularity or illegality in the impugned order dated 03.09.2008 which may call for an interference of this court in exercise of its writ jurisdiction. This writ petition is devoid of any merit and is, therefore, dismissed in limine.

NOVEMBER 19, 2008

Sd./-
S.N.AGGARWAL, J