

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No.161 of 2021

Date of Order: 28.04.2021

Shri. Manoj Kr. Dutta & 7 Ors. Vs. State of Meghalaya & Ors.

Coram:

Hon'ble Mr. Justice Ranjit More, Judge.

Appearance:

For the Petitioner/Appellant(s) : Dr. N.Mozika, Sr. Adv. with
Ms. S.A.Shallam, Adv.

For the Respondent(s) : Mr. K.P.Bhattacharjee, GA.
Ms. Z.E.Nongkynrih, GA.

1. I have heard Dr. N.Mozika, learned Sr. counsel for the petitioner and Mr. K.P.Bhattacharjee, learned GA for the respondents.
2. Subject matter of the petition is promotion to the post of Sub-Divisional School Education Officer (SDSEO). This post is a Grade-II category post and is required to be filled by promotion amongst the Additional SDSEOs, Vice Principals, Assistant Headmasters, Assistant DAEs and Assistant Lecturers. The petitioners are Additional SDSEOs, they are aggrieved as the private respondents are promoted to the post of Sub-Divisional School Education Officer overlooking the petitioners' seniority.
3. Dr. N.Mozika submits that the respondents authorities by issuing Notification dated 11th December, 2012, fixed the quota of 75% to Vice Principals/Assistant Headmasters/Assistant DAEs and 25% to Assistant Lecturers. While fixing this quota, the respondent authorities ignored the separate category namely, the Additional SDSEOs.
4. Mr. K.P.Bhattacharjee, learned GA however seeks some accommodation to take instruction and file affidavit in reply. Time granted.

Mr. K.P.Bhattacharjee shall file affidavit in reply before returnable date with advance copy to Dr. N.Mozika, learned Sr. counsel for the petitioners.

5. Stand over to 20-05-2021. By way of interim relief, it is directed that promotion of the private respondents shall be subject to final outcome of this petition.

Judge

Meghalaya
28.04.2021
"Samantha PS"

