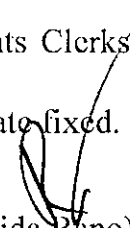


18.09.2024 1. Learned counsel for the appellant present and argued that appellant is working as Senior Clerk in the respondent department. Respondents issued two seniority lists of Accounts Clerk (BPS-14) and Senior Clerks (BPS-14) on 02.04.2003 as stood on 31.03.2024, which is against the rules because as per rules notified on 25.03.2010 amended and published on 15.04.2019 in the official gazette, "post of Assistant was to be filled 25% by initial recruitment and 75% by promotion on the basis of seniority cum-fitness, from amongst Accounts Clerks/Senior Clerks with at least 5 year's service as such" and for this purpose joint seniority list of Accounts Clerks/Senior Clerks shall be maintained by the department. Appellant challenged separate seniority list by filing representation to respondents on 08.05.2024 for issuance of joint seniority list, which was not responded, hence the instant service appeal. Points raised need consideration. The appeal is admitted for full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fee within 10 days. Thereafter notices be issued to the respondents for submission of written reply/comments. Respondents be summoned through TCS, the expenses of which shall be deposited by the appellant within seven days. To come up for written reply/comments on 02.10.2024 before S.B. P.P given to the appellant.

2. Alongwith the appeal there is an application for restraining the respondents not to process the promotion cases on the impugned seniority lists till the final disposal of the case. Notice of the application be issued to the respondents. In the meanwhile, respondents are restrained not to promote the Accounts Clerks/Senior Clerks on the basis of impugned seniority list till the date fixed.


(Rashida Bano)
Member (J)