

GAHC040004932025



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/142/2025

Kabak Bhatt
Son of Shri Kabak Taka, resident of F Sector, Naharlagun, Itanagar Capital Region,
PO and PS Naharlagun, Arunachal Pradesh.

VERSUS

The State of AP and 2 Ors
represented by the Chief Secretary, Govt of Arunachal Pradesh, Civil Secretariat,
Arunachal Pradesh, Itanagar. 2:The Principal Secretary
Age: 0
Occupation :
Govt of Arunachal Pradesh
Public Works Department
Itanagar
Civil Secretariat
Itanagar
Arunachal Pradesh.

3:The Commissioner
Age: 0
Occupation :
PWD
Govt of Arunachal Pradesh
Civil Secretariat
Itanagar
Arunachal Pradesh

Advocate for the Petitioner : Marto Kato, Yasmin Gao, Mepe Ete, Nyali Sora

Advocate for the Respondent : GA (AP),

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

Date : 01.04.2025

Heard Mr. M. Kato, learned counsel for the petitioner. Also heard Mr. S. Tapin, learned Senior Government Advocate for the State respondent No.1 and Mr. Y. Riram, learned Government Advocate for the respondents No.2 and 3.

2. The practice of giving officiating/functional promotion to the junior-most serving Junior Engineer (Civil), while the seniors in the said cadre are stagnating without promotion, is the grievance raised in this writ petition filed under Article 226 of the Constitution of India.

3. The petitioner has prayed that the officiating/functional promotion to the junior-most Junior Engineer (Civil) to the post of Assistant Engineer (Civil) in the Public Works Department be ordered to be reverted back and that a direction be issued to the respondent authorities to consider promotion to the petitioner and others, who are the senior-most Junior Engineers (Civil).

4. Issue notice, returnable on 30.04.2025.

5. In view of the position that promotional necessary has not been carried out from the post of Junior Engineer(Civil) to the next promotional post of Assistant Engineer (Civil) in the Public Works Department, Govt. of Arunachal Pradesh, the Principal Secretary to the Government of Arunachal Pradesh, Public Works Department, Itanagar (respondent No.2) and the Commissioner, PWD, Government of Arunachal Pradesh (respondent No.3) are directed to file an affidavit so as to inform the Court as to when the last departmental promotion committee has held a proceeding and when the next departmental promotion committee is likely to be constituted. This shall be in addition to whatever reply

the respondents intend to make in their affidavit-in-opposition.

6. As the learned Senior Government Advocate and the learned Government Advocate have accepted notice on behalf of respondents No.1, 2 and 3, requisite extra-copies of the writ petition be furnished to them during the course of the day.

7. The learned Senior Government Advocate shall send the downloaded copy of this order to the respondent authorities to ensure that an affidavit-in-opposition is positively filed at least 1(one) day prior to the next date of listing.

8. List the matter on **30.04.2025.**

JUDGE

Comparing Assistant