

06.03.2021

CWPOA No. 214 of 2019

Present: Mr. Sunil Mohan Goel, Advocate, for the petitioner.

Mr. Sudhir Bhatnagar, Additional Advocate General with Mr. Kunal Thakur, Deputy Advocate General, for the respondent-State.

Mr. D.K. Khanna, Advocate, for respondent No.3.

Ms. Ranjana Parma, Senior Advocate with Mr. Karan Singh Parmar, Advocate, for respondents No. 4.

Mr. Aman Parth Sharma, Advocate, for respondent No.5.

Mr. Rajesh Kumar and Mr. Rakesh Chauhan, Advocates, for respondent No.6.

CMP No. 2163 of 2020

Learned counsel representing the applicant/petitioner while inviting attention of this Court to the prayer made in the instant application, contends that since he had prayed for stay of the promotion of respondent No.4, it may be clarified that status quo qua promotion ordered vide order dated 23rd December, 2020, is with regard to respondent No.4 only.

Having perused averments contained in the application, especially, relief clause, this Court finds that this Court having taken note of the law laid down by **Hon'ble Apex Court in Civil Appeal No. 8833-8835 of 2019, titled K. Meghachadra Singh & Ors. versus Ningam Siro & Ors, decided on 19.11.2019**, though clearly ordered that status quo qua promotion to the post of the Principal shall be maintained by the parties to the lis, but it appears that the aforesaid order has not been correctly understood by the respondent-State and as

such, other eligible persons, who are not party in the case and are also being denied promotion have approached this Court for their impleadment as well as clarification by way of separate applications.

Having taken note of the fact that the aforesaid order dated 23.12.2020, was passed by this court in view of the specific prayer made in the application to stay the promotion of respondent No.4, this Court deems it fit to clarify that status quo order dated 23.12.2020, passed by this Court is with regard to promotion of respondent No.4, for the post of Principal. Other candidates, if otherwise eligible can be promoted to the post in question subject to outcome of the instant petition.

In view of above, present application stands disposed of.

CMPs No. 54,88, 89 & 91/2021

In view of the order passed in **CMP No. 2163 of 2020**, all the applications are disposed of having been rendered infructuous.

Copy ***dasti***.

(Sandeep Sharma)
Judge

6th March, 2021
(reena)