

15.12.2005

Hon'ble Mr. K.B.S. Rajan, JM

For Applicant : Sri R. Verma

By an order dated 17.2.2005 the applicant was promoted on adhoc basis to the post of helper Gr. I and posted from Jhansi to Talbehat. The applicant had submitted a representation refusing the said promotion with an undertaking to abide by the conditions for such refusal. He has further submitted that he may be permitted to continue as Helper Grade II in case he cannot be retained at Jhansi on promotional post. Respondents have noted the refusal part but stated that since no vacancy exists at Jhansi for helper I/II; the applicant has to be relieved.

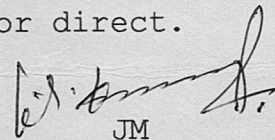
Applicant's counsel submits that the above view of the respondents is incorrect as he is functioning at Jhansi as Helper Grade II.

Issue notice returnable within 6 weeks. RA, if any, may be filed within 2 weeks, thereafter. List before Registrar on 10.3.2006 for completion of pleadings.

Applicant has prayed for interim relief. In view of the prima-facie case having been made out and balance of convenience and interest of justice being in favour of the applicant, respondents are restrained from shifting the applicant from Jhansi.

List this case on 29.12.2005 before the vacation of bench for continuation of interim relief.

Notice Dasti. Applicant's counsel shall arrange collection and ensure delivery to the respondents either through Senior Standing Counsel or direct.


JM

Notices with copy of
OA. Received
Sanjay Singh
Clerk to
R. Verma
16/12/05

/pc/