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5. The basic civil rights to which people are entitled are stated as follows :-

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The petitioner's application dated 1-10-31 shall stand as a basis for the promotion order dated 1-10-32 (wherein the petitioner) ordering promotion of officials senior and junior to the petitioner and in the list of officials approved for promotion (Annexure A-1 to the petition) wherein the petitioner's name does not appear. As on 1-10-32, there can be no justification for not allowing promotion to the petitioner on the alleged ground of his involvement in fraud case in respect of which no charge-sheet has been given to the petitioner.

7. In view of the fact that the petitioner's suspension was revoked as is apparent from the transfer order dated 23-10-32 (Annexure A-2 to the petition) which has not been disputed by the respondents, the grievance of the petitioner against suspension beyond three months without review does not survive.

8. In the aforesaid circumstances it is directed that no departmental proceedings be conducted against the petitioner and the petitioner's promotion shall not be withheld. The petitioner is entitled to be promoted to the next higher scale of Rs. 1600-2660 and to be given him the seniority among the officials promoted as per order (Annexure A-3) and as such Part-1 of the order giving the names of officials promoted on 1-10-31 shall stand amended by inclusion of the name of the petitioner at the appropriate place having regard to seniority and in Part-3 of the said order the name of the petitioner shall stand deleted. It is directed that the respondents shall give effect to the promotion of the petitioner to the next higher scale of Rs. 1600-2660 on 1-10-31 without affecting his seniority with regard to the consideration of this order.

The petition is accordingly allowed as above.
Order is so costs.

W. K. (Att.)

K. K. [Signature]
VICE C. [Signature]

Order: 7/10/223, Luck. [Signature]

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