

Hon'ble Rajiv Sharma, J.

Mr. D.S. Patni with Mr. Sandeep Kothari, Advocates,
for the petitioners.

Mr. B.S. Parihar, S.C., for the State.

Since the common questions of law and facts are involved, these petitions have been taken up together and decided by this common judgment.

Petitioners were appointed as Urdu Translator-cum-Junior Assistant. Thereafter, they were absorbed as Junior Assistants. Subsequently thereafter, the petitioners were promoted to the post of Senior Assistants. However, vide the impugned orders, the petitioners have been re-designated as Urdu Translator-cum-Junior Assistants.

Petitions stood absorbed as Junior Assistants and thereafter they were promoted as Senior Assistants.

Petitioners have never been issued any show cause notice before they were re-designated as Urdu Translator-cum-Junior Assistants after their promotion to the post of Senior Assistants. Petitioners have acquired a vested right after their promotion as Senior Assistant. In case, they were to be re-designated as Urdu Translator-cum-Junior Assistants, they were required to be issued at least a show cause notice. The status of the petitioners has been reduced from the post of Senior Assistant to the post of Urdu Translator-cum-Junior Assistants. Re-designation of petitioners from the post of Senior Assistant to the post of Urdu Translator-cum-Junior Assistants would, in fact, amount to reduction in rank without complying with the principles of natural justice.

Accordingly, the writ petitions are allowed. Impugned annexures are quashed and set aside. The respondents are directed to permit the petitioners to discharge the duties of Senior Assistants with all consequential benefits.

Pending applications also stand disposed of accordingly.

(Rajiv Sharma, J.)
15.02.2018