

GAHC010036362024



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

Case No. : WP(C)/988/2024

NO. 14861746K PAWAN DAIMARI
FIREMAN,
S/O- SRI NARAYAN DAIMARI,
310 PETROLEUM PLATOON,
ASC, C/O- 99APO

VERSUS

1. THE UNION OF INDIA AND 4 ORS
REPRESENTED BY SECRETARY TO GOVT. OF INDIA, MINISTRY OF
DEFENCE, SOUTH BLOCK, NEW DELHI- 110011

2:DIRECTORATE GENERAL OF SUPPLIES AND TPT
QUARTERMASTER GENERALS BRANCH IHQ OF MOD (ARMY) DHQ
P.O.- NEW DELHI- 110105

3:HQ EASTERN COMMAND (ST)
PIN- 9058542
C/O- 56 APO

4:SENIOR RECORDS OFFICER
ASC RECORDS (SOUTH) PIN- 900493
C/O- 56 APO

5:COMMANDING OFFICER
310 PETROLEUM PLATOON
ASC PIN- 905310
C/O- 99AP

Linked Case : I.A.(Civil)/536/2024

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S/O- SRI NARAYAN DAIMARI
310 PETROLEUM PLATOON
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For the Petitioner : Mr. A.R. Tahbildar, Advocate.

For the Respondent(s) : Mr. P.S. Lahkar, Central Government Counsel.

– BEFORE –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

28.02.2024

(Vijay Bishnoi, CJ)

Pursuant to the direction given by this Court vide order dated 23.02.2024, Mr. P.S. Lahkar, learned Central Government Counsel appearing for the respondents has informed

that the post where the petitioner was sent for promotion is still available in Roorkee, Uttarakhand.

Having heard the learned counsel for the petitioner and after going through the impugned order dated 15.02.2024 passed by the Central Administrative Tribunal, Guwahati Bench in O.A. No.30/2021 and the other material placed on record by the learned counsel for the petitioner, we are of the view that the impugned order is not required to be interfered with because as per the service conditions of the petitioner if his application for foregoing promotion is rejected then the petitioner is required to join at promotional post. Hence, no interference is called for.

The writ petition is accordingly dismissed.

Consequently, the I.A. (Civil) No.536/2024 is disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant