

**Dr. Arvind Kumar Jain Vs. State and anr**

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**SooperKanoon Citation :** [sooperkanoon.com/1154142](http://sooperkanoon.com/1154142)

**Court :** Rajasthan Jodhpur

**Decided On :** Jul-04-2014

**Appellant :** Dr. Arvind Kumar Jain

**Respondent :** State and anr

**Judgement :**

S.B.Civil Writ Petition No.13361/2013 Dr.

Arvind Kumar Jain V/s State of Rajasthan and ORS.Order dt: 4/7/2014 1/3 IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

S.B.Civil Writ Petition No.13361/2013 Dr.

Arvind Kumar Jain V/s State of Rajasthan and ORS.Date of Order ::: 4th July, 2014 PRESENT HON'BLE Dr.

JUSTICE VINEET KOTHARI Mr.Vipul Singhvi, for the petitioner.

Mr.P.R.Singh, AAG assisted by Mr.Dinesh Ojha, for the respondents.

--- BY THE COURT: 1.

The petitioner has filed the present writ petition with the following prayeRs.It is, therefore, most respectfully prayed that the record of the case may be called for and the writ petition may kindly be allowed and by an appropriate writ, order or

direction: (1) the impugned order dated 21.6.2013 (Annex.5) and order dated 5.8.2013 (Annex.7) may kindly be declared illegal to the extent of non-consideration of the petitioner for promotion and his juniors being promoted.

(2) It may be declared and held that the seniority list of 2010 has been violated to the extent the petitioner has not been considered for promotion for the post of Professor from the post of Associate Professor and later S.B.Civil Writ Petition No.13361/2013 Dr.

Arvind Kumar Jain V/s State of Rajasthan and ORS.Order dt: 4/7/2014 2/3 to the post of Senior Professor.

(3) The respondents may be directed to consider the case of the petitioner for promotion from the date the promotion of the petitioner falls due immediately.

(4) The arrears of salary, emoluments and benefits may be granted to the petitioner from the date it fell due i..e from the date of promotion.

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2.

On the last occasion on 21.5.2014, the following order was passed by this Court :  
The learned counsel for the respondents, Mr.P.R.Singh submitted that the review DPC for according second promotion on the post of Sr.Professor for consideration of the case of the petitioner, will be held and the matter may be kept just after summer vacations.

He assured the Court that the review DPC will be held before that.

List th matter in the fiRs.week of July, 2014.

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2.

The learned AAG, Mr.P.R.Singh submitted that after the previous order was passed before the summer vacation on 21.5.2014, the case of the present

petitioner for promotion to the post of Senior Professor has also been considered by the Review DPC and he has been recommended for such promotion to the post of Sr.Professor.

Therefore, this writ petition has become infructuous.

S.B.Civil Writ Petition No.13361/2013 Dr.

Arvind Kumar Jain V/s State of Rajasthan and ORS.Order dt: 4/7/2014 3/3 3.

The learned counsel for the petitioner Mr.Vipul Singhvi submitted that the consequential benefits in pursuance of such promotion also deserves to be given including the arrears of pay.

It is needless to say that consequential benefits of such promotion if any will also flow to the petitioner and be given to him.

4.

Accordingly, the present writ petition is disposed of as having become infructuous.

No order as to costs.

A copy of this order be sent to the parties concerned forthwith.

(Dr.

VINEET KOTHARI).J.

ss/- 38,

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