

Block Development Officers

Block Development Officers

SooperKanoon Citation : sooperkanoon.com/671278

Court : Supreme Court of India

Decided On : Feb-14-1995

Reported in : (1992)IILLJ108SC; (1996)7SCC260; 1996(33)ATC263

Judge : Kuldip Singh and; N. Venkatachala, JJ.

Appeal No. : Civil Appeals Nos. 4614-20 of 1992

Appellant : Block Development Officers

Respondent : State of M.P. and ors.

Judgement :

Kuldip Singh and; N. Venkatachala, JJ.

1. Appellants 2-8 originally belonged to the Panchayat and Social Welfare Department of the State of Madhya Pradesh. They were sent on deputation as Block Development Officers (BDOs) to the Panchayat and Rural Development Department. It is not disputed that the appellants worked in the Rural Development Department as BDOs for a period between 5-12 years. The rules called the Madhya Pradesh Panchayat and Rural Development (Gazetted) Service Recruitment Rules, 1988 (the Rules) came into force with effect from 11-4-1998. Thereafter the appellants were reverted back to their parent department. They challenged the order of reversion before the Madhya Pradesh Administrative Tribunal. The Tribunal by its judgment dated 8-6-1992/30-6-1992 dismissed the bunch applications filed by the appellants. These appeals by way of special leave

are against the judgment of the Tribunal

2. We have heard learned counsel for the parties. We see no ground to interfere with the impugned judgment of the Tribunal. We agree with the reasoning and the conclusions reached therein. The learned counsel for the appellants has, however, contended that during the period the appellants were working in the Panchayat and Rural Development Department, persons junior to them in the parent department have been promoted to the higher cadres, without considering the cases of the appellants. The learned counsel for the State of Madhya Pradesh is not in a position to controvert the same. No counter-affidavit has been filed to the additional affidavit filed by the appellants in this Court. He states that the copy of the additional affidavit was not given to him and as such it was not possible for the State to assist this Court in respect of the contents of the additional affidavit. Be that as it may, the appellants cannot be put to any prejudice so far as their service career in the parent department is concerned. In whatever capacity they were working in their parent department, they would be deemed to be continuing in that capacity while on deputation as BDOs in the Panchayat and Rural Development Department. The appellants are entitled to all those benefits in their parent department which are given to the persons junior to them or those who are similarly situated. In case any of the persons junior to the appellants have been promoted to the higher cadres during the period when the appellants were on deputation, the State of Madhya Pradesh shall consider the appellants for promotion from the relevant dates when the persons junior to them were considered. In case the appellants are found suitable for promotion after such consideration, they will be entitled to all consequential benefits³. The appeal is disposed of in the above terms.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com