

- Section __ of _____ act
- Article _ of _162 &309__
- Regulation of (Regulation of Seniority) Rules, 1982
- Rule 1988

Second

Background of case

- The case concerns a seniority dispute in the Maharashtra Forest Service for the role of Assistant Conservator of Forest .The appellants ,nominated in 2016 ,faced issues with training and appointments .The Maharashtra tribunal partially approved application in 2016.

Third

Facts of the case

The case involves a dispute over the computation of service period for the promotion of Assistant Conservators of Forests (ACFs) to the post of Deputy Forest Officer (DFO). The High Court ruled that seniority for ACFs appointed by nomination is determined from the date of the appointment order issued after successful completion of training. The Supreme Court upheld this decision, emphasizing the Proviso to Rule 2 of the 1984 Rules, stating that training and probation periods are not counted towards the requisite service period. The Court rejected arguments that government resolutions override statutory rules, dismissing the appeal and leaving the parties to bear their own costs. The judgment was delivered on March 15, 2023.

Fourth

question in matter

The matter in question involves the computation of service periods for the promotion of Assistant Conservators of Forests (ACFs) to the position of Deputy Forest Officer (DFO). The key dispute revolves around whether the training period should be part of the probation period and if the appointment order should be issued post the successful completion of training for ACFs nominated to the position. The Proviso to Rule 2 of the 1984 Rules, excluding training and probation periods from the service calculation, is a crucial aspect. The resolution of these issues affects the determination of seniority and eligibility for promotion to the DFO position.

Fifth

judgment stated

- The Supreme Court upheld the High Court's decision, dismissing the appeal in the case. The Court affirmed that the period of training and probation should be excluded from the computation of the service period for promotion to the post of Deputy Forest Officer (DFO). The Proviso to Rule 2 of the 1984 Rules, stating that training and probation periods are not counted towards the requisite service period, played a crucial role in the judgment. The Court rejected arguments suggesting that government resolutions could override statutory rules and left the parties to bear their own costs._____

Sixth

Reference cases used in judgment

- Prafulla Kumar Swain Case
- R.S. Ajara & Ors

Somya Mehta