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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6882 OF 2014

Anil Sheshrao Deshpande

PETITIONER

VERSUS

National Insurance Company, Aurangabad & Ors. RESPONDENTS

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Mr. C. R. Deshpande, Advocate for the petitioner

Mr. A. B. Kadethankar, Advocate for respondents No.1 to 3

Mr. S. B. Deshpande, Assistant Solicitor General.

Mrs. S. A. Dhumal, AGP for respondent State

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[CORAM : S. V. GANGAPURWALA AND
V. L. ACHLIYA, J.J.]

DATE : 8th JANUARY, 2015

PER COURT:

1. We have heard Mr. Deshpande, learned advocate for the petitioner, Mr. Kadethankar, learned advocate for respondents No. 1 to 3 and Mr. Deshpande, learned Assistant Solicitor General. We are not touching the other merits of the matter, though it has been pointed out to us that in cases of similarly situated candidates, respondents No. 1 to 3 have considered their requests and posted them at places other than the places where they were directed to report as per promotion order. Said documents are part of record of present petition.

2. There appears to be communications between the parties wherein it appears that the petitioner had requested to give him posting on promotional post at some place in Maharashtra, whereas as per the order of promotion, he was posted at Indore.

3. It would be appropriate for the authorities concerned to consider the request of the petitioner. Learned advocate of the petitioner on instructions states that the petitioner is ready to join at Indore.

4. In the light of the above, we pass the following order:

ORDER

i) The petitioner shall make a representation / application to respondents No. 2 and 3 authorities for considering him to the promotional post on which the petitioner was promoted, as per order dated 27th December, 2013 and to post him at the place, the respondent authorities deem it appropriate, as per administrative exigencies and vacancies.

ii) Respondent authorities shall take decision on said representation / application

expeditiously, preferably within four weeks of the receipt of the representation / application from the petitioner.

iii) In case representation / application of the petitioner is not considered favourably by the respondents No. 2 and 3, the petitioner will be at liberty to assail the same.

iv) All the contentions of either parties in respect of present petition are kept open.

v) Writ petition stands disposed of with no order as to costs.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]