

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8084/2014

Ashok Pandharinath Kopale

.. PETITIONER

Versus

The State of Maharashtra
and Ors

..RESPONDENTS

...

Mr.V.D.Salunke,Adv. For petitioner

Mr.P.N.Mulay,AGP for State.

Mr.S.S.Dambe,Adv. for R.2 & 3

...

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA,JJ.**

DATE : 5th January, 2015.

P.C. :

Heard.

2] Mr.Salunke, learned counsel submits that the petitioner was issued promotion order as that of Center Chief. The petitioner pursuant to the said order joined the post of Center Chief and started functioning as Center Chief, however, abruptly on 25.8.2014, the said order of promotion is set aside without notice to the petitioner and without considering his seniority. Such an order is illegal.

3] Mr.Dambe, learned counsel submits that Teachers' Organisation had pointed out some irregularities in issuance of order of promotion, as such corrective steps were taken and the impugned order is passed. The process of preparing seniority list is in progress and the same would be complete within two (2) months. The orders of promotion was temporary order. The same is depicted in the order itself, as such the petitioner does not have right.

4] We have considered the submissions. This Court has granted status-quo and the same is in operation since the first date. It is not disputed that pursuant to the orders of status-quo, the petitioner is working at the place of his promotion. It is pointed out by the learned counsel for the Respondents that in similar matters, the Court had directed parties to maintain the status-quo and the Respondents were further directed to take decision as per merits. In the present case corrected seniority list is not yet prepared, naturally, the Respondents will have to consider the objections raised to the seniority list while preparing the same.

5] In light of that, we pass the following order :

A] The order of status-quo passed in the present petition shall continue till the Respondents take decision about the seniority list and the promotion order of the petitioner on its own merits. The same be done by the Respondents within a period of two (2) months from

today.

B] The Writ Petition is accordingly disposed of.
No costs.

V.L.ACHLIYA,J.

S.V.GANGAPURWALA,J.

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