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WP-1331-2015.doc
(sr. no.14)
Monday, 20 April, 2015

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1331 OF 2015

The Superintending Engineer and
The Zonal President and Ors.

.....Petitioners
(Orig. Respondents)

: V/S :

Bharateshwar Paygonda Patil

.....Respondent
(Orig. Complainant)

ALONGWITH
WRIT PETITION NO. 403 OF 2015

The Superintending Engineer and
The Zonal President and Ors.

.....Petitioners
(Orig. Respondents)

: V/S :

Dattataray Dhondiba Shalgar

.....Respondent
(Orig. Complainant)

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Mr. Ajit Pitale, Advocate for the petitioners.

Mr. Kuldeep U. Nikam, Advocate for the respondent in WP-1331-2015.

None for the respondent in WP-403-2015.

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Coram :- Smt. R.P. SondurBaldota, J.

20th April, 2015.

P.C. :-

- 1). This is a common order passed on the above petitions.
- 2). These petitions challenge the interim order dated 17th September, 2014 passed by the Industrial Court directing the petitioners not to give effect to the orders dated 22nd April, 2014 and 20th June, 2014 for reverting the respondents from the post of “Assistant Draftsman” to the post of “Tracer” and for recovery of the difference in the salary of “Tracer” and “Assistant Draftsman” received by them. Admittedly, the promotions had taken place in the year 1985. According to the petitioners, they realised that promotion of the respondents to the post of “Assistant Draftsman” was without necessary qualifications. Since the promotion itself was not legal, the respondents cannot be permitted to work in the post of “Assistant Draftsman” pending hearing of the proceedings filed to challenge the reversion.
- 3). The respondents are sought to be reverted almost 30 years after their promotions. There is no allegation that they are not working satisfactorily in the promoted post for the last 30 years. In the circumstances, there is no infirmity in the impugned order which is only an interim order. Hence, the writ petitions are dismissed.

(SMT. R.P. SONDURBALDOTA, J)