

(WP 127 of 2015)

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION No. 127 OF 2015

Union of India and Ors.

...Petitioners

Vs.

D.R. Gupta

...Respondent

Mr.R.R. Shetty a/w. Dhanesh R. Shah for Petitioners

CORAM : V. M. KANADE &
G.S. KULKARNI, J.J.

DATE : APRIL 13, 2015

P.C. :

1. The grievance of the Petitioners is that the Tribunal has directed the Petitioners herein to communicate all gradings in the ACR to the Respondent (Applicant in Original Application) and consider him for the vacancy arisen in the year 2002-2003. It is submitted that the said direction has been given ignoring the Office Memorandum dated 13.4.2010 of the Department of the Personnel and Training.

2. In our view, the said submission cannot be accepted since the Tribunal has given the said direction following the ratio of the judgment of the Apex Court in the case of **Sukhdev Singh vs. Union of India delivered in Civil Appeal No. 5892 of 2006**. Hence, we do not propose to interfere with the impugned order passed by the Tribunal. The writ petition, therefore, is dismissed in limine. Time to implement the order dated 5.3.2014 in O.A. No. 133 of 2009 is extended by eight weeks.

[G.S. KULKARNI, J.]

[V. M. KANADE, J.]