

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1647/2015

Prakash s/o Laxman Deotale

...Versus...

Regional Manager, Forest Development Corporation, Ltd., Nagpur and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mrs. S.W. Deshpande, Advocate for petitioner
Shri A.M. Sudame, Advocate for respondents

**CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.**

DATE : 12.10.2015

By this petition, the petitioner seeks a direction to the respondents to grant deemed date promotion to the petitioner. According to the petitioner, the respondent – Corporation has promoted the juniors while denying promotion to the petitioner. It is further stated that the representation made by the petitioner to the Corporation for grant of deemed date promotion is not yet decided by the Corporation.

Shri Sudame, the learned Counsel for the respondent - Corporation raises a preliminary objection to the tenability of the petition. It is stated that the respondent – Corporation is an Industry and the petitioner can as well approach the Industrial Court for seeking the redressal of his grievance. It is stated that the matter could be better adjudicated by the Industrial Court.

At this stage, the learned Counsel for the petitioner states that the Corporation may first be directed to decide the representation of the petitioner for deemed date promotion and if the same is not decided in favour of the petitioner, the petitioner would avail the alternate remedy.

Since the request made on behalf of the petitioner is just and reasonable, by accepting the statement made on behalf of the petitioner that the petitioner would avail the alternate remedy, if the representation is rejected, we dispose of the writ petition with a direction to the respondent – Corporation to decide the representation of the petitioner at Annexure – IV dated 24.3.2014 as early as possible and positively within a period of two months.

Order accordingly. No costs.

JUDGE

JUDGE

Wadkar