

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3464/2015

(DILIP KRISHNARAO PAUNIKAR **VERSUS** ASSISTANT GENERAL MANAGER, SYNDICATE BANK,
 MANIPAL & ANOTHER)

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

Court's or Judge's orders

Shri P.D. Randive, counsel for the petitioner.

**CORAM : SMT. VASANTI A. NAIK AND
PRASANNA B. VARALE, JJ.**

DATE : DECEMBER 17, 2015.

Heard.

By this petition, the petitioner challenges the order of the respondent no.2, dated 22.10.2012, reverting the petitioner from the post of Officer to the post of Clerk.

It is stated on behalf of the petitioner that the promotion of the petitioner as an Officer on 09.04.2001 could not have been disturbed and the petitioner could not have been reverted by the impugned order. It is stated that the promotion of the petitioner should have been protected in view of the judgment of the Full Bench, reported in **2015 (1) Mh.L.J. 457** (*Arun Vishwanath Sonone Versus State of Maharashtra & Others*).

There is no merit in the only submission made on behalf of the petitioner for challenging the impugned order. It appears that the petitioner was granted the benefit of the promotion in the year 2001 on the basis of reservation. The promotion was granted to the petitioner on the post that was reserved for the Scheduled Tribes. Since the caste claim of the petitioner was invalidated, the petitioner was liable to be reverted. The respondent no.2 rightly reverted the petitioner by the impugned order dated 22.10.2012. The petitioner cannot seek the

benefit of the judgments rendered by the Supreme Court from time to time in respect of protection of services as also the judgment reported in **2015 (1) Mh.L.J. 457** (*Arun Vishwanath Sonone Versus State of Maharashtra & Others*) as only the services at the time of joining are protected and there is no protection granted for retaining the promotions that are secured on the basis of reservation.

Since there is no merit in the writ petition, we dismiss the same with no order as to costs.

JUDGE

JUDGE

APTE