

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

WRIT PETITION NO. 4939/2013

(Shri Dilip s/o Bhimraoji Patil avs. Reserve Bank of India and another)

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

Court's or Judge's order

Mr. S.G.Zinzarde, Adv.for petitioner
Mr. R M Bhangde, Advocate for respondent no.1

CORAM : B.R.GAVAI &
INDIRA K. JAIN, JJ.
DATED : 15th June, 2015.

Heard.

Perusal of the chart which is annexed along with counter-affidavit of the respondent no.1, would reveal that none of the years preceding alleged discontinuation the petitioner, has worked for 240 or more days.

In view of the judgment of the Apex Court in the case of Bombay Union of Journalists and others vs. State of Bombay and another : AIR 1964 SC 1617(1), the appropriate Government is entitled to examine as to whether, at least, a *prima facie* case exists in case of employee or not prior to making

a reference.

The representation made by the petitioner to the appropriate authority does not even say that in any particular year the petitioner has put in 240 or more number of days and, as such, it cannot be said the discretion exercised by the authority has been exercised in a pervert manner to warrant interference. Writ Petition is rejected.

JUDGE

JUDGE

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