

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 46 OF 2016.

(Shrawan Sadashiv Amgaonkar .vs. The District Collector, Nagpur & others)

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

Mr. R.S. Parsodkar, Advocate for petitioner,
Mr. D.P. Thakare, Additional Government Pleader for the
respondent nos. 1 to 3.

CORAM : B.R. GAVAI & P.N. DESHMUKH, JJ.

DATED : FEBRUARY 10, 2016.

1] The petitioner has approached this Court being aggrieved by the order dated 18.12.2015, thereby reverting the petitioner to the post of Talathi.

2] The petitioner's services are reverted on the ground that the petitioner has submitted neither the validity certificate nor necessary documents which could be forwarded to the Scrutiny Committee for scrutinizing the claim of the petitioner.

3] Mr. R.S. Parsodkar, learned Counsel for the petitioner, submits that the petitioner had submitted his documents as way back as in the year 1994 and as such, there was no occasion for him to resubmit them.

4] The perusal of the affidavit-in-reply would clearly reveal that the petitioner was called upon as early as on

31.3.2012, 15.7.2013 and 20.9.2014 to submit the documents so that the same can be forwarded to the Scrutiny Committee and was also informed that on failure to do so, his services shall stand reverted. In spite of those specific communications, the petitioner has not replied to them. In that view of the matter, the claim of the petitioner that he had submitted the documents appears to be a purely disputed question.

5] In any case, the petitioner has only been reverted and not terminated from service. In that view of the matter, we are not inclined to interfere with the reversion.

6] The learned Counsel for the petitioner states that now the petitioner has submitted all the documents. The respondents shall, therefore, forward the documents to the Scrutiny Committee which shall decide the claim of the petitioner in accordance with the law. Needless to state that if the petitioner is successful and his claim is eventually validated, the respondent nos. 1 & 2 shall restore the position of the petitioner to which he is entitled on the basis of his status of belonging to Scheduled Tribe.

7] With the above observations, the Writ Petition stands disposed of.

Judge

Judge

J.