

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

WRIT PETITION NO. 1107/2015.

Shri Rajesh Prabhakarrao Shrawane

-VERSUS-

The Registrar General, High Court of Judicature at Bombay, Mumbai and others.

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

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
KUM. INDIRA JAIN, JJ.

DATE : AUGUST 10, 2016.

Heard Shri S.P. Kshirsagar, learned
Counsel for the petitioner and Shri F.T. Mirza, learned
Counsel for respondent nos. 1 and 2.

2. Learned Counsel for the petitioner is
seeking time to place on record a communication
dated 06.08.2016, sent by the office of respondent
no.2 informing that the representation of petitioner
dated 30.05.2015 has been accepted by respondent
no.1, and therefore, adverse remarks have been

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expunged.

3. Learned counsel for petitioner further submits that as adverse remarks are expunged, there is no bar for considering case of petitioner for promotion.

4. Learned counsel appearing for respondents submits that he has no knowledge of any such subsequent events.

5. The communication dated 06.08.2016 is taken on record and marked “X” for identification.

6. Perusal of reply filed by respondents on record reveals that because of adverse remarks, case of petitioner could not be considered for promotion to the post of Stenographer Higher Grade.

7. As remarks are claimed to be expunged, it is clear that case of petitioner may now be considered for promotion. Perusal of paragraph no.6 of the reply filed on behalf of respondent nos. 1 and 2, shows that earlier remarks are **'B' Good; 'B' Good; 'A+ Outstanding** and thereafter **'B' Good**. Last remark for period from 08.06.2009 to 02.02.2010 was **'B' Average (slow in working)**. Exhibit 'X' expunges this last remark.

8. Effect of this expunging or then cumulative

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effect of above mentioned remarks need to be looked into by the competent Authority, if petitioner is still within the zone of consideration.

9. The situation can be resolved by directing the petitioner to make appropriate representation in this respect to respondent no.2. If such representation is made within a period of four weeks from today, the competent Authority shall take necessary decision upon it within next eight weeks. With this direction and keeping all rival contentions open, we dispose of the Writ Petition. No costs.

JUDGE

JUDGE

Rgd.

CERTIFICATE

I certify that this judgment/order uploaded
is a true and correct copy of original signed
judgment/order.

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Pvt. Sec.