

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.5185 /2016

(Kishorilal s/o Sukhram Rahangdale vs. State of Maharashtra and others)

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

Court's or Judge's order

Mr. Nitesh Samundre, Advocate for petitioner
Mr. Lule, AGP for respondent nos. 1 to 4

CORAM : B.R. GAVAI &
V.M. DESHPANDE, JJ
DATED : 15th September, 2016

Heard.

The petitioner has approached this Court contending that he was entitled to be promoted as a Compounder instead of the post of Havildar, to which he has been actually working.

It is the contention of the petitioner that the petitioner, on account of his experience and the special training imparted to him, has possessed the requisite qualification to work as a Compounder. It is therefore submitted that the promotion of the petitioner as Havildar is not sustainable.

The learned Tribunal has found that the initial appointment of the petitioner was in the executive branch as Sepoy. It has further been found that the petitioner does not possess the requisite qualification for the post of Compounder. It was found that it was the practice of the respondents to take the services of sepoy in executive

branch to work as Male Nurse (Paricharak) for a temporary period.

The learned counsel for the petitioner relies on the note to the Recruitment Rules. The reliance on the said note would not support the case of the petitioner inasmuch as the Chief Medical officer of the Prison and the Civil Surgeon of the District concerned have not certified the suitability of the petitioner for posting as Compounder.

In that view of the matter, we find that no case is made out for interference with the well-reasoned judgment and order of the learned Tribunal. The Writ Petition is rejected.

JUDGE

JUDGE

sahare

C E R T I F I C A T E

“ I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.”

Uploaded by: N.B.Sahare
P.S.

Uploaded on: 17.09.2016.