

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

WRIT PETITION NO. 6438 OF 2015.

Shyamkumar Natthuji Shendre ..vs.. The State of Mah. and ors.

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

Court's or Judge's orders

Mr.Anand Parchure, Advocate for the petitioner.
Mr.D.M.Kale, AGP for respondent no.1.
Mr.R.S.Khobragade, Advocate for respondent no.2.
Mr.A.Kapgate, Advocate for respondent no.3.

**CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.**

DATED : APRIL 15, 2016.

Heard for some time.

Petition is filed on 18th of November, 2015
seeking absorption with Zilla Parishad, Bhandara as per
option exercised by petitioner on 19th of April, 1999.

Learned AGP for respondent no.1 submits that
it is the controversy between petitioner and his employer.

Advocate Shri Kapgate appearing for Zilla
Parishad, Gondia and Advocate Shri Khobragade appearing
for Zilla Parishad Bhandara point out that the copy of
Annexure No.3 which is supposed to be option submitted by
petitioner on 19th of April, 1999 is not legible. They submit
that in past few such option forms were found fabricated.
They further state that in petition details about this option
form are lacking.

It is not in dispute that on 19th of April, 1999,
there was only one Zilla Parishad, namely, Zilla Parishad
Bhandara. It is within knowledge of petitioner and
therefore he can point out the Panchayat Samiti or other

office to which he has handed over option on 19th of April, 1999.

If the said Authority, which has received that option, today falls under Office of Zilla Parishad Bhandara, petitioner has to satisfy the Chief Executive Officer of Zilla Parishad Bhandara that he has submitted such option to that authority. If that authority or Panchayat Samiti today is under respondent no.3 – Zilla Parishad Gondia, petitioner has to satisfy the Chief Executive Officer of Zilla Parishad, Gondia that he has submitted such option on 19th of April, 1999.

In view of this dispute, in order to curtail further loss of time, we direct petitioner to appear before the concerned Chief Executive Officer i.e. Chief Executive Officer of Zilla Parishad, Bhandara or Chief Executive Officer of Zilla Parishad, Gondia, on 26th of April, 2016.

He shall satisfy that authority by producing necessary records that on 19th of April, 1999 he has submitted option form duly filled in to Panchayat Samiti office or other authorities falling under the jurisdiction of that Chief Executive Officer.

If the concerned Chief Executive Officer is satisfied that such an option is already exercised, necessary steps in accordance with that option shall thereafter be initiated and completed within six weeks.

With these directions, we dispose of the Writ Petition. No costs.

JUDGE

JUDGE

Chute.