

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

WRIT PETITION NO.950/2016

Santoshkumar Singh s/o Jagnarayan Singh

...Versus...

Union of India, Through its Secretary, Home Department, New Delhi and others

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

Court's or Judge's orders

Shri I.N. Choudhari, Advocate for petitioner
Shri A.M. Joshi, Advocate for respondents

**CORAM : B.P. DHARMADHIKARI AND
ARUN D. UPADHYE, JJ.**

DATE : 08.08.2017

Petitioner now in employment with Bharat Heavy Electricals Limited has questioned communication dated 14/11/2015 sent by respondent no.5 to Manager of Bharat Heavy Electricals Limited to effect certain deductions from wages payable to petitioner by later and to make it over to respondent no.5.

2. Submission of Advocate Shri Choudhari is no such amount is due and payable. He also adds that in any case, respondent no.5 or any of the respondents cannot in law issue such direction to Bharat Heavy Electricals Limited.

3. Advocate Shri Joshi for respondents submits that after this Court passed order on 27.6.2016, he has communicated the same to respondents and is awaiting instructions. He is, therefore, seeking adjournment.

4. Advocate Shri Choudhari in alternative points out that if respondent no.5 is permitted to decide representation made by petitioner, in the backdrop of query mentioned supra and grant necessary opportunity to the petitioner, interest of justice can be met with.

5. Advocate Shri Joshi, submits that if such direction is issued and respondent no.5 is left free to take appropriate decision, he has no objection.

6. In view of these developments, we grant petitioner liberty to make appropriate representation to respondent no.5 within three weeks from today.

7. If representation is made, respondent no.5 shall look into it independently as per law and without being influenced by observations of this Court, within next three months thereafter.

8. After order is passed, the same shall be communicated within three weeks by R.P.A.D. If order is adverse, the same shall not give effect for three weeks after the same is communicated.

Writ Petition is disposed of accordingly. No costs.

JUDGE

JUDGE