

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

WRIT PETITION NO.4498/2019

Maharashtra State Electricity Distribution Company Limited, through its
Superintending Engineer, O & M Division, Chandrapur

..Vs..

Anup Sahebrao Kumbhalkar

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

Court's or Judge's orders

Shri A.D. Mohgaonkar, Advocate for the petitioner.

CORAM : Z.A. HAQ, J.

DATED : 4.7.2019.

C.A.W. NO.1763/2019

Accepting the explanation given in the application, petitioner is permitted to incorporate the proposed amendment. Amendment be carried out forthwith. Civil application is **allowed** accordingly. No costs.

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On oral request, leave to carry out correction in prayer clause (1) granted. Amendment be carried out forthwith.

Heard.

Relying on the judgment given by the Hon'ble Supreme Court in the case of *Devendra Kumar V/s. State of Uttaranchal and others* reported in **(2013) 9 SCC 363** (paragraph No.12), it is submitted that as the

respondent / employee has suppressed the material information regarding his prosecution while submitting application seeking appointment, he is not entitled for reinstatement and back-wages. It is argued that the subordinate Courts have committed an error by directing reinstatement of the respondent / employee.

Issue notice to the respondent, returnable on **4th October, 2019.**

There shall be *ad interim* order in terms of prayer clause (1-A) until further orders.

JUDGE