

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

WRIT PETITION NO. 1798 OF 2020

Mahesh s/o Panjabrao Giri

Vs.

State of Maharashtra, through Secretary Cooperative Department,
Mantralaya, Mumbai and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Shri P.K. Mishra, Advocate for petitioner.
Shri A.M. Madiwale, AGP for respondent No.1.
Shri N.R. Saboo, Advocate for respondent No.2.
Shri S.B. Tiwari, Advocate for respondent No.5.

**CORAM : R.K. DESHPANDE AND
PUSHPA V. GANEDIWALA, JJ.**

DATED : SEPTEMBER 07, 2020.

Hearing was conducted through video
conferencing and the learned counsel agreed that the audio
and visual quality was proper.

(2) On 13.08.2020, we passed an order as under :

*“Hearing was conducted through video
conferencing and the learned counsel agreed that the
audio and visual quality was proper.*

2. *Shri Saboo, the learned counsel appearing for
respondent No.2 seeks time to file an affidavit stating on
oath that the salary of the petitioner shall not be reduced
and in fact the petitioner shall be working on the same
position.*

3. *Put up in the next week.*

4. *The order be communicated to the learned counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.”*

(3) We observed in paragraph (2) above, the respondent Nos. 2 to 4 have filed an additional affidavit stating in paragraph 1 and 2 as under :

“1. During hearing on 13.08.20, present petitioner through his Counsel made grievance that at Wadsa Godown where he is transferred, his salary will be reduced of the post Jr. Storage Superintendent. It is submitted that this apprehension of Petitioner is afterthought. The Answering Respondent did not issued any such order reducing his Pay. It is submitted that Petitioner who is Asst. Storage Suptd. is getting his salary in Pay Scale of Rs.9300-34800 Gp. 4200 & at present as per his Pay Slip of June, 2020 his Net Salary is paid as Rs.27,550/-. Petitioner will get same salary in Pay Scale of Rs. 9300-34800 Gp. 4200 of the post of Asst. Storage Suptd of his posting as In charge of Godown at Wadsa. Petitioner will get additional allowance of Rs. 1500/- payable for posting at Wadsa as per Govt. Policy. Copy of Pay Slip of Petitioner of June 2020 is annexed herewith and marked as Annexure-I.

2. It is submitted as per availability of staff, to look after administration of Godown as In charge of godown at various godown of MSWC, posting are given to personnel holding post of either Junior Storage Superintendent or Asst. Storage Superintendent or Dy. Manger etc. Present Petitioner at Hinganghat was earlier posting as In charge

of Hinganghat Godwon. Even at Wadsa Godown he is posted as Incharge of Wadsa Godown. There is no other officers posted above him at Wadsa Godown. It is submitted that earlier also Shri S.P Gajbhiye in the year 2016 who is holding post of Dy. Manager, was given posting as In charge of Godown at Bramhapuri was required to posting as additional charge of Godown at Wadsa. Hence this affidavit.”

(3) In view of the aforesaid stand taken by the respondents the grievance of the petitioner according to us does not survive. The writ petition stands dismissed. No costs.

JUDGE

JUDGE

Wagh