

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

WRIT PETITION NO. 5382 OF 2018

Shri Pravin s/o Ishwar Nagrale

..vs..

The Union of India, thr. Its Secretary and ors.

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

Court's or Judge's orders

Shri K.B. Zinzarde, Advocate for petitioner.

Shri Abhijeet Deshpande, Advocate holding for Shri U.
Aurangabadkar, Advocate for respondent no.1.

Mrs. U.A. Patil, Advocate for respondent no.2.

CORAM : A.S. CHANDURKAR AND VINAY JOSHI, JJ.
DATED : 24th FEBRUARY, 2020.

Survey No. 68/1 that was belonging to the petitioner's grand father as well as to Rajkamal Nanaji Moon was acquired by Western Coal Fields Limited and pursuant to the policy of the acquiring body, the petitioner who is grand son of the co-owner was granted appointment by the respondent no. 2 on 11.02.2014. The other co-owner had filed Writ Petition no. 2207 of 2014 seeking a declaration compensation be granted to the said petitioner and employment may not be provided to the present petitioner. That Writ petition is came to be dismissed on 11.04.2014. Thereafter, the said co-owner had filed Regular Civil Suit No. 35 of 2016 seeking a declaration that he was entitled for grant of employment. The said civil suit has been dismissed by the trial Court and it is informed that Regular Civil Appeal No. 61 of 2017 is pending before the Appellate Court.

2. In Writ Petition No. 7112 of 2017 in somewhat similar facts this Court had permitted the Western Coal

Field Ltd to issue an order of appointment in favour of the petitioner subject to outcome of the civil proceedings.

3. Considering the fact that in the present proceedings the order of appointment has already been issued to the petitioner, the respondent no. 2 is directed to issue a joining order to the petitioner within the period of four weeks.

4. It is made clear that the appointment of the petitioner would be subject to final outcome of the proceedings of Regular Civil Appeal No. 61 of 2017.

5. The Writ Petition is disposed of in aforesaid terms. No costs.

(VINAY JOSHI, J.)

(A.S. CHANDURKAR, J.)

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