

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

WRIT PETITION NO.1385 OF 2017

(Mahendra s/o Bhuwaraj Sonewane Vs. State of Maharashtra thr. its Secretary,
Education Department, Mantralaya, Mumbai 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 L.N. Chaudhari, Advocate for Petitioner.
Shri J.Y. Ghurde, AGP for Respondent Nos.1 & 2.
Shri A.Y. Kapgate, Advocate for Respondent Nos.3 & 4.

CORAM: RAVINDRA V. GHUGE AND
S.M. MODAK, JJ.

DATE: 11th FEBRUARY, 2020.

1] Pursuant to the order dated 08.01.2020, the Divisional Commissioner, Nagpur Division, Nagpur has passed an order dated 28.01.2020, which is placed on record. The grievance of the petitioner is that he should be granted the deemed date for graduate teachers pay scale, and which has been erroneously decided by the Divisional Commissioner.

2] Though the petitioner is aggrieved by the deemed date so granted, the learned Advocate submits that the Zilla Parishad should formally issue an order to the petitioner so that he can study the said order. Any grievance as regards the fresh cause of action that needs to be redressed, he would resort to a remedy as is permissible in law.

3] The learned AGP submits that the order dated

28.01.2020 has been e-mailed to the Zilla Parishad. The learned Advocate for the Zilla Parishad submits that he has neither received the hard copy of the affidavit-in-reply, nor the hard or soft copy of the order dated 28.01.2020.

4] Considering the above, this petition is disposed off. The Zilla Parishad shall formally convey the order dated 28.11.2020 passed by the Divisional Commissioner, Nagpur, to the petitioner and issue an appropriate order as is necessitated by the procedure applicable. If the petitioner is aggrieved by the said order, he is at liberty to resort to a remedy as may be permissible in law.

5] Considering the submission of Shri A.Y. Kapgate, the learned Advocate for respondent Nos.3 and 4, we deem it appropriate to call upon Shri S.Y. Deopujari, the learned Government Pleader to consider whether such affidavit-in-reply with accompanying annexures can be supplied to the learned Advocates for the litigating parties in any proceeding, by e-mail service.

(S.M. Modak, J.)

(Ravindra V. Ghuge, J.)