

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CIVIL APPLICATION (W) NO. 240/2021
IN
WRIT PETITION NO. 7569/2017
(Maharashtra Rajya Zilla Parishad Lekha Karmachari Sanghatana and
another vs. State of Maharashtra and another)

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

Court's or Judge's order

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Mr. R.L. Khapre, Senior Advocate assisted by Mr P.V. Deshmukh,
Advocate for the petitioner
Mrs. K. S. Joshi, Govt. Pleader (incharge) for respondents

CORAM : DIPANKAR DATTA, C.J.&
PUSHPA V. GANEDIWALA, J.

DATED : FEBRUARY 04, 2021.

P. C.

1. Order dated 23rd August, 2019 passed by a coordinate Bench of this Court in Writ Petition No. 7569/2017 granted liberty to the petitioners to submit a representation ventilating their grievance before the Shri K.P. Bakshi Committee and such Committee was directed to take appropriate decision in the matter within a period of three months from date of receipt of all the objections.

2. Civil Application No.240/2021 dated 3rd July, 2020, which is on Board today, is on behalf of the respondents whereby extension of time by six months has been prayed for to comply with the order dated 23rd August, 2019.

3. Mrs. Ketaki Joshi, learned Government Pleader (in-charge) appearing in support of the application submits that although the

application was filed on 3rd July 2020, it could not be listed for further consideration immediately thereafter because the pandemic was at its peak. It is also submitted that during the COVID period, there was limited functioning of all administrative departments and as such, the Committee could not finalize its report. She submits that the Committee shall finalize its report and place the same before the appropriate Government within six months and, accordingly, a prayer is made in that regard.

4. Mr. Khapre, learned senior counsel appearing for the respondents in support of this application and the petitioners in the writ petition, has seriously opposed the prayer of Mrs. Joshi. According to him, the Committee may be directed to finalize its report within a period of four months and the Government may be directed to take a final decision in respect of acceptance or non-acceptance of such report, within a further period of two months thereafter.

5. What we comprehend from Mr Khapre's submission is that within a period of six months from date, the petitioners' fate ought to be decided by the Government. Countering such opposition, it is the submission of Mrs. Joshi that it may not be possible for the Committee to finalize its report within four months for the simple reason that such Committee is not only dealing with the objections of the petitioners but objections of other employees too, and any direction for completion of the exercise undertaken by the Committee within four months could be one in futility.

6. Having heard learned Advocates for the parties, we dispose of this application by requesting the Committee to finalize its report within six months from date, positively. Upon the report being placed before the appropriate Department of the Government, we expect a final decision to be taken in respect thereof by such Department within a period of two months thereafter.

7. List the writ petition before the appropriate Bench, after eight months.

JUDGE

CHIEF JUSTICE

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