

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

Writ Petition No. 5255/2021

Smt. Jyoti w/o Narendra Chawre
..VS..
Zilla Parishad, Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri C.V. Jagdale, Advocate for the petitioner

CORAM : AVINASH G. GHAROTE, J.

DATED : 20/12/2021

Heard Shri Jagdale, learned Counsel for the petitioner, who challenges the order dated 17.03.2021 passed by the learned Industrial Court contending that, upholding of the punishment of reduction of the complainant to the lower post as done by the learned Industrial Court, could not have been ordered as there is no lower post and what would be needed to be upheld would be the punishment as imposed by Clause 2 of the operative part of the order of the Chief Executive Officer (CEO) dated 05.04.2008 (page 25), whereby the salary of the petitioner was reduced to her basic pay of Rs.4000/-. In so far as, the imposition of punishment by the learned Industrial Court is concerned, the same has to be in consonance with the original punishment imposed as indicated in the order dated 05.04.2008 passed by the learned CEO. Since, the Industrial Court has set aside the

punishment of imposition of stoppage of two increments with cumulative effect, the only punishment imposed which could have been upheld by the learned Industrial Court, would have been what is stated in operative part Clause 2 of the order dated 05.04.2008. With this clarification, I do not see any reason to interfere in the impugned order.

2. The writ petition is, accordingly, dismissed.
No costs.

JUDGE

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