

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

CONTEMPT PETITION NO.247 OF 2018

IN

WRIT PETITION NO.306 OF 2018 (D)

Punjabrao Prabhuji Gajbhiye, Nagpur and Others

...VERSUS...

Ravindran Vishwanathan, Senior General Manager, Ordinance Factory,
Ambazari, Nagpur

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

Court's or Judge's order

Shri. P. P. Deshmukh, Advocate for the petitioners
Shri. U. M. Aurangabadkar, ASGI for respondent.

CORAM : **A. S. CHANDURKAR AND**
 N. B. SURYAWANSHI, JJ.

DATED : **28th JANUARY, 2021.**

1. The grievance of the petitioners is that the orders passed in Writ Petition Nos.3600 of 1999 with Writ Petition No.3602 of 1999 are not complied with.

2. The directions in the said writ petitions are as follows :

“In view of the aforesaid, the writ petitions are partly allowed. The orders of the Tribunal are modified. The petitioner should consider the respondents for promotions to H.S. Grade-I, if they are not promoted as such till date, provided

they satisfy the eligibility criteria and provided there were vacancies for their upgradation/promotion at the relevant time. The said upgradation/promotion could be made only if there is no hurdle of the departmental promotion committee assessing the performance of the respondents as most of them stand retired. Rule is made absolute in the aforesaid terms, with no order as to costs.”

3. The respondent has filed reply affidavit wherein it is stated that out of the 10 petitioners, the petitioners at serial nos. 4, 5, 6, 7 and 8 have been promoted to H.S. Grade-I. The petitioner nos. 2 and 9 could not satisfy the eligibility criteria and therefore they could not be promoted. The petitioner no. 3, since retired before being eligible for consideration for promotion, he could not be considered. Petitioner nos. 1 and 10 were granted financial upgradation in the pay scale of H.S. Grade - II w.e.f. 09.08.1999. The petitioner no. 1 was also promoted to H.S. Grade - II in the year 2000.

4. It is thus clear that the orders passed in writ petitions are complied with. The contempt petition is accordingly disposed of.

5. We make it clear that if there is any grievance, the petitioners are at liberty to redress the same by approaching before appropriate forum.

(N. B. SURYAWANSHI, J.) (A. S. CHANDURKAR, J.)

TAMBE