

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

WRIT PETITION NO.1497 OF 2009

Satish s/o Ramrao Kate, Pratap Nagar, Nagpur
-vs-

Indian Oil Corporation Ltd. Thr. Chairman and Managing Director, New Delhi

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

Court's or Judge's Orders.

Shri R. Vaidya, Advocate h/f Shri Anand Parchure, Advocate for
petitioner.
Respondent served.

CORAM : A. S. CHANDURKAR AND URMILA S. JOSHI-PHALKE, JJ.
DATE : June 09, 2022

P.C.

The petitioner who was working as Deputy General Manager with the respondent is aggrieved by the communication dated 30/03/2007 by which the petitioner is informed that the suggestions put forth by the petitioner before the Suggestion Committee were not found eligible for receiving incentives under the Suggestion Scheme framed by the respondent.

2. It is the case of the petitioner that under the Suggestion Scheme the petitioner on 29/04/2006 had given two suggestions with a view to improve the performance of the respondent which would ultimately result in financial benefits. These suggestions were considered initially by the coordinator and the petitioner was informed that the decision of the Suggestion Committee would be conveyed to the petitioner. Thereafter the petitioner was required to forward two reminders

but there was no response from the said Committee. Ultimately under provisions of the Right to Information Act, 2005 the petitioner was furnished with necessary information which indicated that the suggestions made by him were not found acceptable by the Committee. Being aggrieved the petitioner has approached this Court praying that the aforesaid decision of the Committee be set aside.

3. We have heard the learned counsel for the petitioner at length and with his assistance we have perused the material placed on record. It is found that under the Suggestion Scheme framed by the respondent, the petitioner had forwarded his suggestions to the Committee on 29/04/2006. The same had been considered by the said Committee and by assigning reasons it has been indicated as to why those suggestions were not found eligible for monetary appreciation under the Scheme. Though the learned counsel for the petitioner sought to urge that the suggestions as made by the petitioner ought to have been accepted, we find the Suggestion Committee which comprises of experts in that field had applied their mind and by giving reasons had indicated the reasons for not finding those suggestions acceptable. The Court would not be in a position to substitute its opinion in place of the opinion recorded by the experts.

4. It was also urged that constitution of the Suggestion Committee was flawed for the reason that one of the members of the Committee was junior to the petitioner and there was a litigation pending in that regard while other two members were

junior in rank to the petitioner. The contention that the Suggestion Committee could not be expected to be impartial is merely based on assumption of the petitioner. We find that the Suggestion Committee considered the suggestions given by the petitioner in detail and by assigning reasons those suggestions had not been accepted. We do not find any arbitrariness in the decision making process for which interference under Article 226 of the Constitution of India is called for. In that view of the matter we do not find that the petitioner can be granted any relief. The writ petition is therefore dismissed. Rule stands discharged. No costs.

(Urmila S. Joshi-Phalke, J.)

(A. S. Chandurkar, J.)

Asmita