

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

CIVIL APPLICATION (W) NO. 1533/2022 IN WRIT PETITION NO. 2281/2007

(ALL INDIA GENERAL INSURANCE SCHEDULED CASTE/SCHEDULED TRIBE EMPLOYEES WELFARE
ASSOCIATION **VERSUS** THE NEW INDIA INSURANCE CO.LTD. & OTHERS)

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

Court's or Judge's order

Ms Deepali Sapkal, counsel for the petitioner.
Shri S.K. Pardhy, counsel for the R-1 to 5.
Ms Neerja Choube, counsel for the R-8 & 9.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : JULY 19, 2022.

By this application, the petitioner seeks leave to amend the writ petition and raise a challenge to Clause 1 of the Promotion Policy for Officers, 2006 as amended on 04.01.2019.

The challenge raised in this writ petition is to the Promotion Policy for Officers, 2006 to the extent of prescribing Pre-Promotional Written Test as per Clause 9.2 thereof. Since such written test was introduced for the first time in the 2006 policy, the same is alleged to prejudice the members of the petitioner-Association.

By amending the 2006 Policy on 04.01.2019, Pre-Promotional Written Test as prescribed under Clause 9.2 has been scrapped. Thereafter as per Clause 14.2, only one stream for promotion without reckoning the parameters of written test has been prescribed. Thus in effect by introducing such amendment, the grievance raised in the writ petition stands redressed by virtue of such amendment from 04.01.2019. The only aspect that now remains to be considered in the writ petition is whether the introduction of Clause 9.2 in the 2006 Policy is legal or not. In these facts, we are not inclined to entertain the amendment application in the present writ petition. There is no reason for the petitioner to be aggrieved by the deletion of Clause 9.2 of the 2006 Policy. However, in case the petitioner is advised to challenge the same, it can be done by initiating fresh proceedings. Hence, the amendment application is not entertained. The civil application is rejected.

WRIT PETITION NO. 2281/2007.

Put up for further consideration on 26.07.2022.

(URMILA JOSHI-PHALKE, J.)

(A. S. CHANDURKAR, J.)

APTE