

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 12874 OF 2022

Mandar Sambhaji Kulkarni

...Petitioner

V/s.

The Commissioner, Kolhapur Municipal
Corporation and anr.

...Respondents

Mr. Harshvardhan Suryavanshi, for the Petitioner.

Mr. S.A. Mane, for the Respondents.

CORAM : SANDEEP V. MARNE, J.

Dated : 14 September 2023.

P.C. :

1. By this petition, Petitioner challenges order dated 15 October 2022 passed by the Industrial Court No.2, Kolhapur rejecting prayer for interim relief sought in application, being Complaint (UL.P.) No.29/2022 filed at Exhibit-U-2.

2. It appears that Petitioner's promotion to the post of Senior Clerk is delayed on account of punishment imposed on him in Disciplinary Enquiry. It is Petitioner's case that the said penalty cannot have any impact on his right to get promotion as Senior Clerk.

His grievance is that while his juniors are already promoted to the post of Senior Clerk and are being considered for further promotion to the post of Assistant Superintendent, he is still languishing on the post of Junior Clerk. Petitioner possibly seeks promotion to the post of Assistant Superintendent from the date on which his batchmates are being promoted. This dispute in my view, requires final adjudication in the complaint. Petitioner was not entitled to seek any interim relief during the pendency of Appeal. His request for interim relief has rightly been rejected. There is no merit in the Writ Petition. The Writ Petition is **dismissed** without any orders as to costs.

SANDEEP V. MARNE, J.