



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

WRIT PETITION NO. 3516/2022

Roshan S/o Manik Thaware

Vs

Western Coalfields Limited, Nagpur Thr. Its Manager (Karmik)
Nagpur Division And Another

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

Court's or Judge's Order

Ms. Aasavari S. Kale, counsel h/f Mr. R.N. Deshpande, counsel for petitioner.
Ms. P.D.Rane, counsel for respondent Nos. 1 and 2.

CORAM: AVINASH G. GHAROTE &
URMILA JOSHI-PHALKE, JJ

DATED : 11/09/2023.

1. The petitioner was promoted to the post of Overman Grade-A by the order dated 25.01.2021. He was thereafter demoted to the post of Overman Grade-B, by the impugned order dated 11.11.2021 (Page-25). It is contended that before passing the impugned order, the petitioner has not been heard.

2. Ms. P.D. Rane, learned counsel for the respondents is unable to point out that prior to the date of demotion, any notice was issued to the petitioner for hearing, regarding the seniority list prepared and the change made therein, considering which, the impugned order on this ground alone cannot be sustained and the same is hereby quashed and set aside and the matter is remitted back to the respondents to afford an opportunity to the petitioner to be heard and then respondents shall pass the appropriate orders.

3. The petition, is accordingly, **allowed** in the above terms. No costs.

JUDGE

JUDGE