

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

WRIT PETITION NO. 4415/2022

Jitendra s/o Sukhadeo Dhengre,
Aged about 36 years, Occupation – Service,
R/o Plot No. 506, Near Buddha Vihar,
Dr. Ambedkar Nagar, Dharampeth,
Nagpur – 440010.

.... **PETITIONER**

VERSUS

- 1) State of Maharashtra,
through its Secretary, General
Administration Department,
Mantralaya, Mumbai -32.
- 2) Maharashtra State Electricity
Transmission Company Limited,
(MAHATRANSCO) through its
Director (Human Resources),
C-19, Prakashganga, 7th Floor,
Bandra-Kurla Complex, Bandra
(East), Mumbai – 400051.
- 3) The Assistant General Manager,
(HR-T) Maharashtra State Electricity
Transmission Company Limited
(MAHATRANSCO), C-19, Prakashganga,
7th Floor, Bandra-Kurla Complex,
Bandra (East), Mumbai – 400051.
- 4) General Manager (HR-MPP),
Maharashtra State Electricity
Transmission Company Limited
(MAHATRANSCO), C-19,
Prakashganga, 7th Floor, Bandra-

Kurla Complex, Bandra (East),
Mumbai – 400051.

.... **RESPONDENTS**

Mr. Vivek Awchat, Counsel for the petitioner,
Mrs. Ketki Joshi, Addl.G.P. for respondent 1,
Mr. Makrand Rajkondawar, Counsel for respondents 2 to 4.

CORAM : ROHIT B. DEO & MRS. VRUSHALI V. JOSHI, JJ.
DATED : 28th APRIL, 2023

ORAL JUDGMENT : (PER : R.B. DEO, J.)

Heard. **Rule.** Rule made returnable forthwith with consent of the parties.

2. Interesting questions did arise in this petition as regards the philosophy underlying the Rights of the Persons with Disabilities Act, 2016 (Act). However, the fair approach of the respondent-Maharashtra State Electricity Transmission Company Ltd. (Company) obviates the need to delve deeper. The grievance of the petitioner was that he was not considered for promotion to the post of Additional Executive Engineer (Transmission) from the disabled category on the premise that there was no reservation for the low vision-visually impaired.

2. We have already noted that the approach of the Company is fair and we say so, since the Company has fairly agreed to accommodate the petitioner to the post of the Additional Executive Engineer (Transmission) with effect from the date on which the other candidates in the select list of 30-5-2022 are given appointment.

3. We clarify that while the deemed-notional date of appointment shall be given, the petitioner shall not claim any monetary benefit flowing from the deemed date.

4. The petition is disposed of in the afore-stated terms.

(Mrs. Vrushali V. Joshi, J.)

(Rohit B. Deo, J.)

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