

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

WRIT PETITION NO.369 OF 2021

(Asha Tribhuvan Dongre vs. State of Maharashtra and others)

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

Shri M.M. Sudame, Advocate for petitioner.

Ms. N.P. Mehta, Assistant Government Pleader for
respondents.

CORAM : A.S. CHANDURKAR AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : JANUARY 31, 2023

The challenge raised in this writ petition is to the order dated 26/9/2019 issued by the Maharashtra Administrative Tribunal insofar as direction no.3 therein is concerned. By the said order, the Maharashtra Administrative Tribunal set aside the orders dated 14/10/2015 as well as 31/1/2019 by which promotion to the post of Vanpal from the physically handicapped category was denied to the petitioner. However, a further direction was issued to the respondents to prepare a seniority list of physically handicapped Forest Guards and promote them as Foresters, subject to availability of vacant posts.

2) During pendency of the present writ petition, the matter with regard to promotion of the petitioner was placed before the Departmental Promotion Committee of

the Forest Department. In its meeting held on 10/11/2022, the Committee has resolved that the petitioner is entitled to receive a deemed date of promotion from 30/11/2011. It has been further found that on grant of such deemed date of promotion, the petitioner would be entitled to difference in the amount of salary of Rs.16,55,173/-.

3) Ms. Mehta, learned Assistant Government Pleader for the respondents, on instructions, submits that necessary steps are being taken to ensure compliance of the recommendations of the Departmental Promotion Committee and consequently, pay the difference in the amount of salary to the petitioner. The minutes of the proceedings held on 10/11/2022 are taken on record and marked as "A" for identification.

4) In view of aforesaid, the respondents are directed to take all necessary steps in the matter of grant of deemed date of promotion to the petitioner from 30/11/2011 and thereafter release the difference in the amount of salary. Necessary compliance be made within a period of four months from today. With these directions, the writ petition is disposed of.

JUDGE

JUDGE

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