



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

WRIT PETITION NO.3824 OF 2024

Lokesh Manoharrao Jarulkar, Dighori, Umrer Road, Nagpur

-vs-

The Chief Engineer, EHV, PC O&M Zone, MSETCL, Chhinwara Road, Nagpur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri R. S. Parsodkar, Advocate for petitioner.

Shri Makrand Rajkondawar, Advocate for respondents.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : October 21, 2024

P. C.

1. Drawing support from the appointment order dated 16/05/2017, contention is the petitioner cannot be mandated to produce the validity certificate.
2. The aforesaid factual matrix since is borne out of record, is not disputed by the counsel for the respondents.
3. In such an eventuality, it is not open for the respondents to direct the petitioner to provide validity certificate just because he is belonging to the reserved category.
4. The respondents are required to conduct themselves qua the services of the petitioner, in accordance with the terms of the appointment order.
5. That being so, we are of the view that communication dated 27/05/2024 goes contrary to the very terms of the appointment order as the petitioner was appointed from open category, can be said to be non-sustainable.
6. As such, the impugned communication dated 27/05/2024 is hereby quashed and set aside.
7. The Writ Petition is allowed in aforesaid terms. No costs.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)