



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

Writ Petition No.1463/2024
(Nilkanth V State of Maharashtra and others)

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

Court's or Judge's orders

Mr. Kunal Pande, Adv. h/f Mr. V.R. Deshpande, Advocate for petitioner.
Mr. Ukey, Addl.GP for resp. nos. 1 to 3.

CORAM : Nitin W. Sambre & Abhay J. Mantri, JJ
DATE : 01-03-2024.

Relying on the judgment of the Hon'ble Apex Court in Civil Appeal No.2537/2013 arising out of SLP No. (C) No.1933/2011 (Union of India and others Vs Anil Kumar Sarkar), which is further followed in the decision dated 20-10-2022 delivered in Original Application No. 318/2021 by the Nagpur Bench of Maharashtra Administrative Tribunal, the contentions of the learned Counsel for the petitioner are, merely because criminal proceedings under the provisions of the Prevention of Corruption Act are pending against the petitioner, the petitioner cannot be deprived of the benefits of the Accelerated Promotion Scheme.

2. Issue notice to the respondents, returnable on 05-04-2024.
3. Learned Additional Government Pleader, waives notice for respondent nos.1 to 3.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)