

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

WRIT PETITION NO. 222/2024

Dr. Jaiprakash S/o. Narayan Zirmire
Vs.

Municipal Commissioner, Nagpur Municipal Corporation, Nagpur.

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

Court's or Judge's orders

Mr. V. M. Lute, Advocate for Petitioner.

Mr. R. R. Chhabra, Advocate for Respondent.

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

DATED : 18/11/2024.

. We direct the Commissioner, Nagpur Municipal Corporation to file an affidavit dealing with the following issues :

- a] It is claimed by the petitioner that recovery from the pension was effected against the petitioner without the approval of Commissioner, who is the competent Authority. According to him, other similarly placed employees are still drawing the benefits, which the petitioner was drawing before effecting the recovery, and
- b] The decision in Writ Petition No.6331/2022 [Rishipalsingh s/o. Mukhraj Singh Choudhary Vs. Municipal Commissioner, Nagpur] decided on 05/09/2023 squarely covers the issue sought to be canvassed in the present petition as the said employee/petitioner was similarly placed like that of the petitioner.

2. As such, the Commissioner shall deal with the issue as to why the benefit be not extended to the petitioner as are directed in the aforesaid writ petition.

3. Let the response be placed within one week.
4. Stand over after one week.

(MRS. VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)