



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

WRIT PETITION NO. 6507 OF 2024

The Union of India and ors. -Vs-Vidyasagar Pandurang Gawali

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

Court's or Judge's Orders.

Ms.Meghna Munshi, counsel for the petitioner/s.
Respondent in person.

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

DATE: 25th OCTOBER, 2024.

1. Heard.
2. Learned counsel appearing for the petitioner raised twofold contentions: A- The reasonable opportunity of hearing was denied by the Central Administrative Tribunal and the order impugned goes contrary to mandate provided in the administrative instructions dated 18.01.2024.
3. The fact remains that the issue which was sought to be canvassed by the respondent before the Central Administrative Tribunal is covered by the Apex Court judgment in the matter of *The Director (Admn.And HR) KPTCL and ors ..V. C.P. Mundingamani and ors.*
4. The fact remains that the Central Administrative Tribunal has not granted the accommodation to the

counsel, who was appearing for the petitioner before the Central Administrative Tribunal as the issue sought to be canvassed by the respondent employee was found to be squarely covered by the aforesaid Apex Court judgment.

5. We do not see, any fault in the approach of the Central Administrative Tribunal on that count as the issue is covered by the Apex Court judgment referred above.

6. As far as the second contention being ignorance of the administrative instructions dated 18.01.2024 are concerned, the fact remains that the said instructions are contrary to the mandate provided by the Apex Court in the aforesaid judgment of the The Director (Admin. And HR) *Supra*.

7. The administrative instructions will not make the judgment of the Apex Court prospective as the same shall be covered by the doctrine of precedent.

8. That being so, there is no substance in the writ petition, hence the same stands dismissed.

JUDGE

JUDGE