

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

CIVIL APPLICATION (CAW) NO.1816 OF 2024 IN
WRIT PETITION NO.1151 OF 2023

Kishore Narayanrao Puri Vs. The Vice Chancellor, Sant Gadgebaba Amravati
University, Amravati and others

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

Court's or Judge's orders.

Shri S.M. Vaishnav, Advocate for petitioner.
Shri P.S. Patil, Advocate for respondent no.4.

CORAM : AVINASH G. GHAROTE &
M.W. CHANDWANI, JJ.
DATE : AUGUST 13, 2024.

The application seeks to amend the petition by raising a challenge to the promotion granted to the respondent no.4 by the order 22.10.2016 w.e.f. 02.05.2015 and so also the recommendation of the Selection Committee dated 05.03.2020 granting professor pay scale to the respondent no.4. All this happened prior to the institution of the petition, which has been filed in the year 2023. In fact, had the petitioner been aggrieved by this, there was no reason whatsoever why said challenge could not have been raised in the petition itself. The petition infact, seeks a declaration that Direction no.28/2023 dated 23.03.2024 and Direction No.70/2023 dated 26.10.2023 which lay down the criteria of deciding the seniority to be unconstitutional, illegal and arbitrary and the consequential relief of a declaration that the petitioner is the senior most employee. In case the petition is allowed, the orders, which are now sought to be

impugned by way of the present application, would automatically be made redundant and in case the petition is dismissed the challenge that is sought to be raised in the application for amendment would automatically be turned down.

2. That being the position, we do not see any reason to allow the application for amendment as nothing turns around it *vis-a-vis* an issue to be decided in the present petition specifically when the matter is fixed for final disposal at the stage of admission today. The application is therefore rejected.

3. Shri Vaishnav, learned counsel for the petitioner submits that on merits he is not ready today and seeks an adjournment.

4. On his request, stand over to **19.08.2024**.

(M.W. CHANDWANII, J.)

(AVINASH G. GHAROTE, J.)

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