



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

WRIT PETITION NO. 2695 OF 2020

(The City of Nagpur Municipal Corporation vs. Sagar S/o. Susaram Hargode and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. S.N.Bhattad, Advocate for petitioner Corporation.
Mr. C.M.Samarth, Advocate for respondent Nos.1 to 4.
Mr. A.G.Mate, AGP for respondent No.7.

CORAM : SIDDHESHWAR S. THOMBRE, J.
NOVEMBER 20, 2025

- 1) Heard learned counsel for the respective parties.
- 2) The petitioner has challenged the order dated 10/11/2019, passed by Industrial Court, Nagpur in Complaint(ULP)No. 50/2012, whereby the complaint filed by respondents came to be allowed.
- 3) Learned counsel for the petitioner submits that the respondents herein had approached the learned Industrial Court seeking promotion to the post of 'Sanitary Inspector'. As per the Regulations, 50% posts are to be filled by promotion and 50% by nomination. The Industrial Court without considering these Regulations and without assessing seniority and the contentions raised by the petitioner herein, allowed the complaint granting promotion to respondent Nos.1 to 6 w.e.f. 2011. In fact respondent Nos.1 to 6 were eligible and entitled to promotion from 2018 and same was already granted by the petitioner Corporation, therefore, the Industrial Court ought not to have granted promotion w.e.f. 2011.

- 4) Upon perusal of the record it reveals that the respondent No.2 vide its resolution dated 27/07/2011 modified the original service rules of 1976 to the extent of 50% posts of Junior Sanitary Inspector to be filled up by promotion from the employees working in other department of the petitioner. Thus, the original respondent No.2/petitioner have denied promotion to the respondents-employees as per the resolution dated 27/07/2011.
- 5) The record further reveals that the complainants/respondents employees were entitled for promotion, but they were not considered and some junior employees were promoted though the respondents/employees were eligible for the post of Junior Sanitary Inspector in the year 2011, but their claim was not considered. All these facts were considered in detail by the Industrial Court, therefore, I do not find any reason to interfere with it. Hence, the petition is dismissed. No order as to costs.
- 6) The respondents were already promoted w.e.f. 2018 therefore, the Industrial Court's order as regards clause (6) to the extent of levying interest @ 7% p.a. till its realization is quashed and set aside.

(SIDDHESHWAR S. THOMBRE, J.)