



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

WRIT PETITION NO.2161/2024

Pramod s/o Dewaji Mahajan

...Versus...

Coal India Limited, Through its Chief Managing Director, Kolkata – 700 156
(WB) and another

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

Court's or Judge's orders

Mr. C.B. Dharmadhikari, Advocate for petitioner
Mr. O.A. Ghare, Advocate for respondent No.2

CORAM : AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.

DATE : 03/03/2025

1. Heard.
2. The impugned communication, dated 20/02/2024 unfortunately and with great trepidation indicates, that the respondents have not even complied with the order, dated 06/02/2024, passed by this Court in Writ Petition No.3644/2021 (pg.69), which had set aside the order therein, in absence of reasonings.
3. In view of the order dated 06/02/2024, the least therefore what was expected was for the Committee to have at least taken the trouble and recorded some reasons, while considering the appeal, filing of which is permissible under the PMS Rules. The very fact that an appeal is provided, would indicate that it has to be decided by recording reasons, which are then open for testing by higher authority. The respondents, however, have miserably failed to do so, which is indicated from the impugned communication, dated 20/02/2024.

4. Though Mr. Ghare, learned Counsel for the respondent No.2 vehemently tries to support the same, however, we do not find any reason whatsoever, in the impugned communication, dated 20/02/2024 for rejecting the appeal of the petitioner, except for a statement that the Committee has deliberated upon the remarks of the Reporting/Reviewing Authority and found no merit for revision of the PRIDE Score. What is also necessary to note is that the office memorandum dated 08/05/2018 vide Clause-7 prescribes the mode of filing appeal, disposal of which would necessarily mandate the recording of some reasons, however, brief, as the appeal in case is rejected, has an adverse effect upon the future career of the employee.

5. In that view of the matter, we have no other option than to set aside the impugned communication, dated 20/02/2024 and remand the matter back to the Committee for decision afresh with a warning that in case such decision does not reflect the reasons, the Court shall be constrained, in any future challenge to same, to impose costs of Rs.5,00,000/- upon the Committee. Such a decision shall be taken within a period of three weeks from today.

6. The writ petition is partly allowed and disposed of accordingly. No order as to costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)