



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

WRIT PETITION NO. 3831 OF 2024

PETITIONER : Shri Sunil Mahadeorao Dokre, Aged
about 54 Years, Occ: Sub-Officer, R/o.
Flat No.134, Guru Nanak Pura, Kadbi
Bazaar, Nagpur.

//VERSUS//

RESPONDENTS : 1. Nagpur Municipal Corporation,
through its Commissioner, Civil Lines,
Nagpur – 440001.

2. The Nagpur Municipal Corporation,
Civil Lines, Nagpur – 440001.

Mr. C.M. Samarth, Advocate for the Petitioner.
Mr. Abhay Sambre, Advocate for the Respondents.

CORAM : SMT. M.S. JAWALKAR AND
RAJ D. WAKODE, JJ.

DATED : 17th SEPTEMBER, 2025.

ORAL JUDGMENT :- (PER : SMT. M.S. JAWALKAR, J.)

Heard. **RULE.** Rule made returnable forthwith. Heard finally by consent of the parties.

2. The petitioner was initially appointed as Fireman in the respondent's Department on 12/10/1992. He got his first and second promotion to the post of Leading Fireman and Sub Fire Officer respectively, on the basis of reservation. The petitioner was due for

promotion to the post of Assistant Station Officer, as he had completed three years of regular service as a Sub Fire Officer and possessed the required qualifications for appointment by promotion as an Assistant Station Officer.

3. It is the grievance of the petitioner that in spite of the fact that he is eligible for promotion and there are vacant posts, his promotion was not considered till today. He made representation on 05/02/2019. However, it was the opinion of the Department that the High Court has invalidated reservation in promotion and there is no problem in considering the petitioner's case in open category. This issue is squarely covered by the decision of this Court in *Writ Petition No.454/2022 (Shri Bhimrao Pandharinath Chandankhede Vs. The Nagpur Municipal Corporation, thr. its Commissioner, Nagpur & Ors.)*, dated 24/08/2023.

4. It is informed by the petitioner that around 29 posts of Assistant Station Officer are vacant. As such, even considering the plea that there could not have been any reservation in promotion, still the petitioner could very well be considered for the post of Assistant Station Officer.

5. In view thereof, we proceed to pass following order:

ORDER

(a) The writ petition is **allowed**.

(b) The respondent Nos.1 and 2 are hereby directed to consider the claim of the petitioner for promotion as an Assistant Station Officer as per the norms.

(c) Rule is made absolute in the above terms. No costs.

(RAJ D. WAKODE, J.)

(SMT. M.S. JAWALKAR, J.)

Vijaykumar