



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

WRIT PETITION NO.2051 OF 2025

Nilima w/o Pramod Ninawe

vs.

Union of India, through Ministry of Earth and Science and its Metrological Deptt., New Delhi and others.

 Mrs Siddhi A. Chavre, Advocate h/f Mr. Ashish Chavre, Advocate of petitioner.
 Mrs Mugdha Chandurkar, Advocate for the respondents.

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

DATE :- 29th APRIL, 2025

We have heard Mrs. Siddhi Chavre, learned counsel holding for Mr. Chavre, learned counsel for the petitioner and Mrs. Mugdha Chandurkar, learned counsel appearing for the respondents.

2. The challenge in the petition is to the order dated 19.02.2025 passed by the Scientist 'F' and Head, Regional Meteorological Centre, DBAI Airport, Nagpur i.e. respondent no.3.

3. The respondent no.3 in response to the request of the petitioner to visit Germany based on the inputs given by the Director General of Meteorology i.e. respondent no.2 has not approved the visit of the petitioner to Germany due to pendency of the judicial proceedings against her.

4. An affidavit is placed on record on behalf of the respondents duly sworn by Mr. Rizwan Ahmed, Director & Scientist-D, Aerodrome Meteorological Office, Nagpur thereby justifying the aforesaid action on the basis of the Office Memorandum dated 09.10.2024 issued by the respondent no.1. The said affidavit is taken on record.

5. When we peruse the said Office Memorandum, we are unable to satisfy ourselves as to the existence of vesting of powers with any of the respondents to put embargo on the right of the petitioner by virtue of the order impugned dated 19.02.2025 thereby not approving her visit to Germany just because of the judicial proceedings in relation to

the order passed by the Scrutiny Committee invalidating her claim and the interim order passed by this Court are pending consideration.

6. Such act on the part of the respondents is completely high handed and in colourable exercise of powers. Rather, the order is said to be without justifiable reasons which can be borne out of any of the legal documents.

7. Such conduct on the part of the respondents would have prompted us not only to quash and set aside the order impugned but also payment of costs for showing high handed action on the part of the respondents, however it is only upon the request of Mrs Chandurkar, learned counsel appearing for the respondents, we defer the hearing to **05.05.2025**.

8. Till then, the impugned order dated 19.02.2025 shall remain stayed with further directions to permit the petitioner to continue her foreign visit to Germany.

9. Steno copy of the order be furnished to the learned counsel for the respondents.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.