



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

WRIT PETITION NO. 4465 OF 2025

Bhupendra Shravan Shirsat

Vs

Joint Director of Agriculture Officer, Division Amravati, University Road,
Amravati and others.

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

Court's or Judge's Order

Petitioner in person.

Mr. Parth Sagdeo, Amicus Curiae

Mr. B.M. Lonare, AGP for respondent/State.

CORAM : **Y.G. KHOBRAGADE AND**
SUSHIL M. GHODESWAR, JJ.

DATE : **15 /06/2026.**

1. Heard.

2. By the present petition, the petitioner put forth the following prayer as under :-

i) Direct the respondents to appoint the petitioner for the post of Draftsman as the post of the Tracer is banned as per the letter issued by Department of Agriculture, Government of Maharashtra;

ii) Grant amount of Salary Difference from 2016 onwards;

iii) Revise pay scale from 2016 till date;

3. Admittedly, the petitioner is in service of respondent No.1, and is supervised by respondent No.2. In an earlier round

of litigation, the petitioner had approached before the Maharashtra Administrative Tribunal, Nagpur, by filing Original Application No.132 of 2022 dated 13/01/2023. The said original application came to be finally decided. Due to non-compliance of the said order, the petitioner again filed Contempt Petition No. 46 of 2023 before the Member, Maharashtra Administrative Tribunal, Mumbai Bench at Nagpur, which came to be disposed of on 20/03/2025.

4. The learned Division Bench of Maharashtra Administrative Tribunal has observed in para Nos. 3 to 5 as under :-

3. In substance, it was directed that the applicant shall be promoted to the post of Tracer on its own merits after lifting of the ban. Undisputedly vide letter dated 05/06/2009 ban was imposed on filling up the post of Tracer. Moreover, it is pointed out that post of Tracer has been abolished and the same is evident from communication dated 20/06/2023. In view of above scenario, the applicant is seeking for action of contempt.

4. There is no dispute that post of Tracer has been abolished. The applicant would submit that in the above scenario, he may be promoted on the some other post like Draftsman. It is not the scope of the Contempt to grant such relief. Unless there is wilful disobedience of the order, the action of Contempt cannot be taken. Since the post of Tracer has been abandoned, no action is warranted.

5. In view of above, Contempt Petition stands disposed of. We may clarify that the applicant is at liberty to approach the Tribunal, if his rightful claim for promotion on other post of Draftsman or anywhere else is denied.

5. Since the post of Tracer has been abolished, and promotion to the post of Draftsman requires prior service of at least three years in the post of Tracer, the petitioner's grievance regarding promotion to the post of Draftsman can be ventilated before the learned Administrative Tribunal.

6. In view of the above, the present petition stands disposed of with liberty to petitioner to approach before learned Maharashtra Administrative Tribunal, Nagpur.

7. The learned Maharashtra Administrative Tribunal is requested to expedite the matter as early as possible.

(SUSHIL M. GHODESWAR, J.)

(Y.G. KHOBRAGADE, J.)