

(1)

Civil Appln. Nos. 10392/2014
& 12403/2014

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Civil Application No. 10392 of 2014

(In Writ Petition No. 8299 of 2014)

Adarsh Vidyalaya Shikshan Samiti, Manatha,
Taluka : Hadgaon, District : Nanded,
Through its President,
Shri Marotrao s/o. Nagorao Shinde,
Age : 62 years,
Occupation : Agriculture / Social Work,
R/o. Manatha, Taluka : Hadgaon,
District : Nanded.

.. Applicant
(Original petitioner)

versus

The State of Maharashtra,
Through its Secretary,
School Education Department,
Mantralaya, Mumbai,
& 5 others.

.. Non-applicants
(Original respondents)

.....

Mr. S.B. Talekar, Advocate, for the applicant.

*Mr. K.G. Patil, Additional Government Pleader, for
non-applicant nos.1 to 4.*

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With

Civil Application No. 12403 of 2014

(In Writ Petition No. 8077 of 2014)

Adarsh Vidyalaya Shikshan Samiti, Manatha,
Taluka : Hadgaon, District : Nanded,

(2)

Civil Appln. Nos. 10392/2014
& 12403/2014

Through its President,
Shri Marotrao s/o. Nagorao Shinde,
Age : 62 years,
Occupation : Agriculture / Social Work,
R/o. Manatha, Taluka : Hadgaon,
District : Nanded.

.. Applicant
(Original respondent
no.3)

versus

Kondba s/o. Namdeorao Sandve,
Age : 56 years,
Occupation : Service,
R/o. Manatha, Taluka : Hadgaon,
District : Nanded,
& 2 Others.

.. Non-applicants
(No.1 - Original
petitioner
&
Nos.2 and 3 -
Original respondent
nos.1 and 2.

.....

Mr. S.B. Talekar, Advocate, for the applicant.

*Mr. K.G. Patil, Additional Government Pleader, for
non-applicant nos.2 and 3.*

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**CORAM : S.V. GANGAPURWALA &
A.M. BADAR, JJ.**

DATE : 28TH JANUARY 2015

COURT'S ORDER *(Per S.V. Gangapurwala, J.) :*

1. Civil Application No. 10392 of 2014 not on board. Taken on board at the request of the learned Counsel for the applicant.
2. Heard Mr. S.B. Talekar, learned Counsel for the applicant, and

Mr. K.G. Patil, learned Addl. Govt. Pleader for the non-applicant - State.

3. Mr. Talekar, learned Counsel for the applicant states that the order was passed on concession made by both the parties. However, the present non-applicant has changed its stand. Though he was given the order by the applicant, he did not accept the same. However, he accepted the order from the rival group though the rival group did not have any authority.

4. The order dated 29-9-2014 was passed by this Court, on the concessions given by both the parties. Certainly, the said order cannot be subject matter of review or modification. If according to the applicant, the non-applicant is not adhering to his consent, or has changed his stand subsequent to the passing of the order, same cannot be a ground to seek modification or recall of the order.

5. The applicant may take up such remedy as is permissible in law.

6. The Civil Applications are accordingly disposed of. No costs.

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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