

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

CIVIL APPLICATION NO. 16318 OF 2015 IN WP/437/2013

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
GORAKH SURYABHAN PAWAR AND OTHERS

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Advocate for Applicants : Mr V.V. Bhavthankar AGP
Mr A.S.Shelke advocate for petitioner in writ petition.

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CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.
Dated: December 21, 2015

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PER COURT :-

1. The application is filed for modification of the order dated 15.12.2014 passed in Writ Petition No.473 of 2013.
2. Heard Mr. Bhavthankar, learned counsel for the applicants and Mr. Shelke, the learned counsel for respondents.
3. Vide the order dated 15.12.2014 we had disposed of the writ petition observing that '*it will be for the Tribunal to consider the evidence for both the sides as to whether the petitioner no.3 has worked for 240 days as required.*' The impugned order passed by the Tribunal in O.A. No.427/2001 to the extent of petitioner no.3 was quashed and set aside and writ petition was dismissed with regard to original writ petitioner nos. 1 and 2.
4. Now clarification is sought as to whether matter is remitted back to the Tribunal. When we had observed that it will be for the Tribunal to consider the evidence of both the sides as to whether

petitioner no.3 herein has worked for 240 days as required, necessarily the matter is remitted back to the extent of original writ petitioner no.3, however, for clarification following words are added in paragraph no.8 of the order dated 15.12.2014 in Writ Petition No.437/2013 - **“the matter is remitted back to the Tribunal for deciding Original Application No.427/2001, to the extent of petitioner No.3.”** Necessary corrections be carried out in the said order.

5. Civil Application stands disposed of.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

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aaa/-