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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1060 OF 2015
IN
WRIT PETITION NO.7157 OF 2014

Dhammaratna Maruti Shinde

... Applicant
(Orig. Respondent No.11)

Vs.

Sanjay Parshuram Patil and Ors.

... Respondents

Mr. K.K. Malpathak i/by Mr. V.N. Bolinjkar, for the Applicant.

Mr. J.P. Kharge, for the Original Petitioner.

Mr. Nitin Deshpande, for the Respondent No.3.

CORAM : A.S. OKA &
A.S. GADKARI, JJ.

DATE : 17th JUNE, 2015
(In Chamber at 2.35 pm)

PC.

. Heard the learned counsel appearing for the applicant who was the 11th Respondent in the disposed of Writ Petition. The prayer is for seeking clarification of Clauses 3 and 4 of the order dated 1st December, 2014. Clause 3 of the order refers to the communication dated 26th November, 2014. Clause 3 refers to the contents of the said communication. Clause 3 records an admitted position that till 26th November, 2014, the applicant had not acquired requisite qualifications. Therefore, no clarification is needed as regards the clause 3.

2. The communication dated 26th November, 2014 records that the recognition granted to the applicant has been cancelled. Paragraph 4 records that no relief was required to be granted to the Writ Petitioner in view of the statements made in the affidavit of Shri D.T. Junnarkar, the Deputy Education Inspector in the office of the Deputy Director of Education.

3. It is in this context that an observation has been made in paragraph 4 of the order to ensure that it should not be construed that this Court has approved the action of the Authorities of granting extension of time by a period of six months to the eleventh Respondent (present Applicant) to acquire the requisite qualifications. This observation shows that this Court has not recorded any finding on the issue of the legality of the action of the Authorities of granting extension of time by a period of six months to the present Applicant.

4. Therefore, in view of what is stated above, according to us, no clarification is required as no finding has been recorded in the order as regards the legality of the action of the Authorities of granting extension by a period of six months. Accordingly, prayer for seeking clarification is rejected.

(A.S. GADKARI, J)

(A.S. OKA, J)