

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

CIVIL APPLICATION No. 880 OF 2015 AND M.C.A. St. No. 7347 of 2015
in
WRIT PETITION No. 1097 OF 2014 (D).

Shivaji Education Society, Amravati, through Secretary and another.

-Vrs.-

The State of Mah. Deptt. Of Technical Edu. Through Secretary, Mantralaya,
Mumbai and others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. P.B. Patil, counsel for applicants.
Mrs. K. Deshpande, AGP for respondent nos. 1 to 3.
Mr. H.A. Deshpande, counsel for respondent no.4.
Mr. P.S. Girdekar, counsel for intervenor.

CORAM : B.P. DHARMADHIKARI AND
P.N. DESHMUKH, JJ.

DATED : 1st OCTOBER, 2015

This court has issued notice on both applications on
6.5.2015.

Accordingly, today we have heard advocate Patil for
applicants, advocate H.A. Deshpande for respondent no. 4 i.e.
original petitioner, learned AGP for respondent nos. 1 to 3 and
advocate Girdekar for intervenor who had filed Civil
Application No. 1520/2015.

Shir Patil, appearing for review applicants
(employer of respondent in writ petition) states that
inadvertently, on 9.3.2015 when writ petition No. 1097/2014
was decided, correct factual position could not be pointed out
to this court. According to him, the recruitment initiated by
advertisement dated 12.2.2014 was complete and only

appointment orders could not be issued to selected candidate i.e. proposed intervener (applicant) in the Civil Application No. 1520/2015.

Advocate Deshpande who appears for original petitioner and respondent no.4 in review proceedings does not dispute this fact. He points out that he got knowledge thereof only after adjudication of writ petition and accordingly challenge to selection process is pending before this court at the instance of petitioner in W.P. No.1097/2014 in fresh writ petition i.e. W.P. No. 5239/2015.

In this situation we find that what has been pointed out by original employer does not in any way contradict the findings of this court in its order dated 9.3.2015. This court had then directed the respondent no. 4 to make representation and had called upon the management to take suitable decision. Accordingly the representation was made by said petitioner Ramkumar and it has been decided.

We therefore find the prayer for intervention is also misconceived.

Shir Patil submits that the only effort is to correct the error which has crept in order of this court dated 9.3.2015. As the error has not materially affected adjudication, we do not find it necessary to alter the said order. Accordingly, all applications are disposed of. No costs.

JUDGE

JUDGE