

**FARAD CONTINUATION SHEET No.**  
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH AT NAGPUR**

**M.C.A. NO.447/2015 IN WRIT PETITION NO. 4247/1999 (D)**  
**(KADU KASHIRAM AHIRE VERSUS UNION OF INDIA & ANOTHER)**

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

Court's or Judge's orders

Ms Neerja Chaubey, counsel for the applicant.

**CORAM : SMT. VASANTI A. NAIK AND**  
**A.M. BADAR, JJ.**

**DATE : APRIL 29, 2015.**

We find, on a perusal of the order dated 12.11.2014 in Writ Petition No.4247 of 1999 that the word 'retirement' is wrongly used in the first paragraph on internal page 2 of the judgment, as the original respondent had not retired on that date but, was transferred.

Hence, the word "retirement" should be substituted by the word "transfer". Since the original respondent-present applicant continued to occupy the government quarter that was occupied by him before his transfer on 01.04.1988 till 17.12.1991, there is no reason to recall the judgment dated 12.11.2014 as the original petitioner had rightly deducted a sum of Rs.36892/- from the retiral benefits of the present applicant-original respondent for wrongfully retaining the quarter till 17.12.1991 despite his transfer on 01.04.1988.

Hence, only by substituting the word 'retirement' by the word 'transfer', we dispose of the miscellaneous civil application with no order as to costs.

**JUDGE**

**JUDGE**