

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

REVIEW APPLICATION NO.6 OF 2016
IN
WP NO.2346/2015

JOINT DIRECTOR, HIGHER EDUCATION AURANGABAD
VS
MEENAKSHI RAMCHANDRA MOOLIYA

...

Mr.S.P.Sonpawale, AGP for Review applicant;
Mr.AN Nagargoje, Adv.For Respondent(petitioner in WP)

**CORAM : S.S.SHINDE &
 P.R.BORA,JJ.**

DATE : 15th March, 2016.

PER COURT :

1) This review application is filed seeking review of the order dated 6th April, 2015 passed by the Division Bench of this Court in Writ Petition No.2346/2015 (Meenakshi Ramchandra Mooliya and Ors. Vs. The Union of India and Ors.).

4) Heard the learned Counsel appearing for the respective parties.

5) It appears that, relying upon the decision in Writ Petition No.10149/2010 (Dr.Mahesh Prabhakar Kulthe and Ors. Vs. The Union of India and Ors.), this Court, while deciding writ petition No.2346/2015, directed the concerned authorities to consider the petitioners' case for grant of exemption from passing NET/SET examination and to give them consequential and incidental benefits.

6) This review application is filed on the principal ground that, the order dated 28th March, 2013, passed the Division Bench of this Court in Writ petition No.5271/2013 and in similar petitions thereto, is modified by the Hon'ble Supreme Court vide order dated 25th March, 2015. It is contended that in view of the order dated 25th March, 2015, it was directed to place such similar matters before the Special

Bench so as to avoid any possibility of passing inconsistent orders.

7) We have carefully perused the order passed by the Hon'ble Supreme Court in Civil Appeal No.10759/2013 (State of Maharashtra and Ors. Vs. Asha Ramdas Bidkar and Ors.). The Hon'ble Apex Court requested the Hon'ble the Chief Justice of this Court to constitute or nominate a bench at the Principal Bench to which all pending writ petitions should be transferred and heard at the principal seat. Accordingly, in pursuance of the said directions of the Hon'ble Apex Court, the bunch of the petitions have been heard at the principal seat and judgment is pronounced. Therefore, in our opinion, in absence of challenge to the order in writ petition No.10149/2010 (Dr.Mahesh Prabhakar Kulthe and Ors. Vs. The Union of India and Ors.) and also the fact that, bunch of the petitions have been finally disposed of by the Division Bench at principal seat, resolving the issue

arose in those petitions, the order under review needs no interference. Needless to observe that the judgment pronounced at the principal seat in the matter of Maharashtra Federation of University and College Teachers Organization Vs. The State of Maharashtra and Ors. - WP No. 2082 of 2013 decided on 23rd December, 2015 with connected writ petitions thereto, also governs the case of the petitioner. In that view of the matter, we do not think it necessary to re-call the order under review. Hence, the review petition stands disposed of.

(P.R.BORA)
JUDGE

(S.S.SHINDE)
JUDGE

bdv/