

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14019 OF 2016
IN
REVIEW APPLICATION STAMP NO.21712 OF 2016
IN
WRIT PETITION NO.6014 of 2009

Mr.A.N.Gaddime h/f Mr.A.V.Patil-Indrale, Advocate for the applicant.
Mr.S.B.Joshi, AGP for respondent Nos.3 to 5.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 21/10/2016

PER COURT :

1. For the reasons stated in the application, delay of 46 days is condoned.
2. I have heard the learned Advocate for the applicant on the review application. Grievance is that by the judgment dated 04/05/2016 delivered by this Court in WP No.6014/2009, that petition has been allowed and the petitioner therein has been granted reinstatement with notional continuity and 25% back wages.
3. It is further stated that owing to the said judgment, the applicant, who was respondent No.4 in the petition, has been terminated so as to accommodate the original petitioner. It is further stated that the applicant has worked for about 15 years after she was appointed in place of the original petitioner pursuant to her termination.

4. Having considered the submissions of the learned Advocates and having gone through the grounds set out, I do not find that any error apparent on the face of the order has been pointed out by the applicant. So also, the applicant was heard when the petition was decided. A subsequent appointee in place of the terminated employee, is always subjected to the result of the litigation.

5. The applicant, at this stage, prays that if any vacancy arises, the respondents may consider her for appointment.

6. It would be open to the applicant to make a representation to the non applicants in the event any vacancy arises and if such a representation is made, the non applicants may consider the same in accordance with the rules/scheme applicable.

7. This review application is, therefore, rejected.

(RAVINDRA V. GHUGE, J.)