

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

REVIEW APPLICATION (CIVIL) NO.161 OF 2016
IN WP/8080/2015

RAJARAM DNYANDEO NAKADE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr.A.N. Kakade, advocate for applicant
AGP for Respondent/State : Mr.M.M. Nerlikar
Advocate for Respondent No.3: Mr.R.R. Nangare

...

CORAM: S.S.SHINDE & SANGITRAO S. PATIL, JJ.

Dated: August 22, 2016

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Heard the learned counsel appearing
for the applicant, the learned A.G.P.
appearing for the Respondent/State and
the learned counsel appearing for
Respondent no.3.

2. It is the submission of the learned
counsel appearing for the applicant that
though the attention of this Court was
invited during the course of hearing of
the Writ Petition No. 8080 of 2015 to the
judgment of the Hon'ble Apex Court in the

case of **Vidya Vikas Mandal and another V/s Education Officer and another¹**, and in particular para 9 thereof, there is no consideration of the said judgment by this Court while disposing of the Writ Petition. He further submits that except this ground, there is no ground agitated in this Application.

3. We have considered the submissions of the learned counsel appearing for the review applicant, the learned A.G.P. appearing for the Respondent/State, and the learned counsel appearing for Respondent No.3.

4. We have carefully perused the judgment under review. In para 4 of the said judgment, we have recorded the submissions of the learned counsel appearing for the applicant and also referred to the judgment in the case of **Vidya Vikas Mandal (supra)**. In para 6 of the judgment under review, relying upon the exposition of law in the case of **Chairman-cum-Managing Director, Coal India Limited and others Vs. Ananta Saha and others²**, we have rejected the prayer of the applicant that the arrears of back

1 2007(3) Mh.L.J. 801

2 (2011)5 SCC 142

wages from the date of first termination order onwards ought to have been paid by Respondent no.3. Therefore, there is no substance in the contention of the review applicant that this Court has not considered the judgment in the case of **Vidya Vikas Mandal (supra)** and also the contention of the applicant that the arrears of back wages should be paid from the date of first termination order onwards.

5. For the above-stated reasons, we do not see any reason to entertain this Review Application. Hence the Review Application stands rejected.

(SANGITRAO S. PATIL,J)

(S.S. SHINDE,J)

sga/