

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.12761 OF 2016 IN
REVIEW APPLICATION STAMP NO.28066 OF 2016 IN
WRIT PETITION NO.7453 OF 2015

Mr.H.I.Pathan, Advocate for the applicant.
Mr.B.R.Kaware, Advocate for the respondent.

(CORAM : RAVINDRA V. GHUGE, J.)
DATE : 23/09/2016

PER COURT :

1. The applicant prays for condonation of delay of 153 days caused in filing the review application. Mr.Kaware, learned Advocate for the non-applicant opposes the same.

2. For the reasons set out in the application and considering the short delay caused, the application is allowed and delay of 153 days is condoned.

3. I have heard the learned Advocates for the respective sides on the review petition, as well.

4. The grievance of the applicant/original respondent is that she had not instructed her advocate in WP No.7453/2015 to settle the matter. The memorandum of settlement is still not signed by her.

She has not agreed to accept Rs.1,25,000/- as comprehensive settlement of her claims arising out of her employment and her non employment. She has not withdrawn Rs.77,720/- from this Court and has not yet accepted Rs.47,280/- from the non applicant / original petitioner.

5. It is stated in the review petition that the writ petition was settled without the consent of the applicant.

6. Learned Advocate for the non applicant / original petitioner submits that the memorandum of settlement is ready. The Management has no hesitation in signing the settlement. The Demand Draft for Rs.47,280/- is kept ready in March 2016. The applicant herself did not accept the said amount. It is, therefore, submitted that the Management has no hesitation in working out the writ petition, if the applicant is not interested in the settlement.

7. Considering the above, the review petition is allowed and the order dated 08/03/2016 stands recalled. List WP No.7453/2015 for admission on 05/10/2016.

(RAVINDRA V. GHUGE, J.)