

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

REVIEW APPLICATION (CIVIL) NO. 239 OF 2016
IN
WRIT PETITION NO.8134 OF 2012

SIDDHESHWAR KRIDA MANDAL SILLOD THRO ITS EX PRESIDENT
VERSUS
ANIL GOVINDRAO KORDE AND OTHERS

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Advocate for Review Applicant : Shri Bhavthankar Vivek Vasantrao.
Advocate for Non Applicant No.1/ original Petitioner in WP : Shri Suhas R.
Shirsat h/f Shri S S Jadhavar.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 14th December, 2016

Per Court:

1 The Review Applicant by this Review Application seeks review of the judgment dated 08.09.2016 by which Writ Petition No.8134/2012 filed by Non Applicant No.1/Employee was partly allowed.

2 Shri Bhavthankar, learned Advocate for the Review Applicant, has drawn my attention to the grounds set out below paragraph 9 (a to j) of the Review Application. After considering his submissions, the Review Application appears to be based on the following contentions:-

- (a) There was no proper advertisement published while appointing the Employee.

- (b) No prior permission was taken from the Education Officer before appointing him.
- (c) Two appointment orders appear to have the same date.
- (d) There is no outward number given to the appointment orders.
- (e) There were no pleadings for back wages.

3 Considering the grounds raised and the submissions put forth, I have scrutinized the judgment sought to be reviewed. Each of these aspects were taken into account while delivering the said judgment. While granting back wages, this Court had relied upon the judgment of the Honourable Supreme Court in the matter of *Nicholas Piramal India Limited v/s Hari Singh*, 2015 (2) CLR 468 and had granted 50% back wages.

4 The Honourable Supreme Court in the matter of *Lily Thomas vs. Union of India*, AIR 2000 SC 1650, has held that the Review Application is not to be canvassed as if in the form of an appeal or in the manner of re-arguing the entire case. The contentions of the Review Applicant herein are those which were canvassed before this Court in Writ Petition No.8134/2012 which was decided by the judgment under review dated 08.09.2016.

5 I do not find that the Review Applicant has brought out new material or such material that was not available and which would have an impact on the judgment delivered by this Court. Considering the fact that all the points which were canvassed in the writ petition are being canvassed in the Review Application, I do not find that the Review Applicant has pointed out any error apparent on the face of the judgment under review.

6 In the light of the above, this Review Application being devoid of merit is, therefore, dismissed.

kps

(RAVINDRA V. GHUGE, J.)