

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Civil Application (W) No.818 of 2016

In

Writ Petition No.2945 of 2001 (D)

**(Smt. Pushpa Ramteke v The State of Maharashtra, thr its Secretary,
Education Department, Mantralaya, Mumbai and others)**

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

Court's or Judge's orders

[Shri Y.B. Mandpe, Advocate for applicant/petitioner.
Shri M.P. Lala, Advocate for resp.nos.4 and 5.]

CORAM : A.B. CHAUDHARI &
P.N. DESHMUKH, JJ.
DATED : 07.04.2016.

Heard the learned Counsel for the
rival parties.

Shri Lala, the learned Counsel
appearing for the respondent nos. 4 and
5 vehemently opposes the application on
the ground that there is inordinate
delay in filing this application.
However, we find that in paragraph no.6
in operative part (B) of the judgment
of the School Tribunal it has been
quoted that the impugned order dated
19/23/-12-1991 issued by the Management

reducing the appellant in rank is hereby set aside . Obviously, the Tribunal has mentioned the reduction in rank to be illegal. However in paragraph no.8 of the judgment of this Court the word 'not' from the sentence in line no.3 is that 'In our opinion, the action of the respondent-Management in reducing the rank of the petitioner has 'not' been found to be wrong and illegal' which is totally inconsistent with the entire body of the judgment of this Court as well as the operative part of our judgment and order.

In that view of the matter, we are of the opinion that the word 'not' from the sentence in paragraph no.8 in line no.3 i.e. 'In our opinion, the action of the respondent-Management in reducing the rank of the petitioner has 'not' been found to be wrong and

illegal' is required to be deleted.

Civil Appreciation (W) No.818 of
2016 is allowed and disposed of.

The necessary corrections be
carried out accordingly.

JUDGE

JUDGE

Deshmukh