

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAO) NO.940 OF 2016

IN M.C.A. ST. NO. 8700 OF 2016 IN WRIT PETITION NO.5354 OF 2006 (D)

(Municipal Council, Ghatanji, through its Chief Officer ..vs.. Kisan s/o Laxman Kasture and another)

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATED : 04-07-2016

Heard Shri V.G. Bhamburkar, Advocate for the applicant-original petitioner, Shri M.R. Pillai, Advocate for the non-applicant No.1 and Shri H.R. Dhumale, Assistant Government Pleader for the non-applicant No.2.

Though the explanation given in the application seeking condonation of 350 days' delay in filing the review application is not sufficient, considering the fact that the applicant is a statutory body, the delay in filing the review application is condoned.

The civil application is allowed.

MISC. CIVIL APPLICATION STAMP NO.8700 OF 2016.

Heard.

2. The applicant-original petitioner (employer) seeks

review of the judgment passed by this Court in Writ Petition No.5354/2006 on 31-03-2015 on the ground that the Government Resolution dated 15-01-2004 is not considered. It is submitted that as per the above Government Resolution, the employees engaged/appointed before 11-03-1993 only can be regularised and as the non-applicant No.1/employee was appointed on 02-06-1998, his services cannot be regularised. The applicant has not given any reason for not raising such a plea either before the Industrial Court or before this Court in the petition. The applicant having failed to plead its case and having not filed the documents on the record, it cannot be said that the Court has committed any error apparent on the face of record and has not considered relevant material.

3. I see no reason to consider the grounds raised in the review application. The miscellaneous civil application is dismissed.

JUDGE

adgokar