

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2737 OF 2017  
AND  
REVIEW APPLICATION (ST) NO.4481 OF 2017

THE ZILLA PARISHAD, NANDED AND OTHERS  
VERSUS  
HANUMANT GANGARAM BARLAWAR AND OTHERS

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Advocate for Applicants : Smt. Kshirsagar Yogita M.  
AGP for Respondent 5 : Shri Kendre S.N.  
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CORAM : RAVINDRA V. GHUGE, J.  
Dated: March 10, 2017  
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PER COURT :-

1. I have heard the learned Advocate for the applicants on the delay as well as on the review application.

2. For the reasons stated in the delay condonation application, the same is allowed.

3. The contention of the applicants is that this Court has erroneously granted the deemed date of promotion to respondent No.1 - Hanumant Gangaram Barlawar from 21.4.2004. He passed his P.R.E. on 27.12.1998, but he produced his caste validity on 21.4.2009. On the same date, respondent No.2 Khobraji Bhujangrao Pandewad has also submitted his Caste Validity Certificate. Both are at par in so far as submission of the Caste Validity Certificate on

21.4.2009.

4. I find that there is no dispute that respondent No.1 is senior to Pandewad. Pandewad was given the effect of promotion as a Sr. Assistant on 18.8.2004. The earlier promotion occurred on 21.1.2004. When Pandewad was given the effect of promotion on 18.8.2004, though having submitted his caste validity on 21.4.2009, the case of the petitioner was in juxtaposition to Pandewad. The applicant Zilla Parishad, considering the seniority of Barlawar, recommended the deemed date of promotion w.e.f. 21.1.2004, since he was senior to Pandewad. Hence, respondent No.1 Barlawar was given the benefit of promotion on 21.1.2004.

5. All these above factors have been extensively dealt with in the order of this Court dt. 24.8.2016 passed in Writ Petition.

6. Considering the same, I do not find that the applicants could point out any error on the face of the record. The review petition being devoid of merits is, therefore, dismissed.

( RAVINDRA V. GHUGE, J. )

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