

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

REVIEW APPLICATION NO.144 OF 2013
(Yogita Ramesh Ghodke Vs. The Municipal Corporation Dhule)
IN
WRIT PETITION NO.449 OF 2006

Mr.N.L.Choudhari, Advocate for the applicant.
Mr.A.S.Sawant, Advocate for respondent.

CORAM : RAVINDRA V. GHUGE, J.)

DATE : 15/12/2017

PER COURT :

1. By order dated 17/11/2017 passed by this Court (Coram : Nitin W.Sambre, J.), the following observations were made :-

" Heard Shri Choudhari, learned counsel for the applicant.

2. The applicant is seeking review of the judgment dated 6th September 2007 passed in WP No.449/2006 on the ground that similarly placed employees preferred Writ Petition No.446 of 2006 against the present respondent, which was allowed on 18th October 2007, against which Petition for Special Leave to Appeal No.24473 of 2007 (Civil) is dismissed. As such, the judgment dated 18/10/2007 stands confirmed.

3. In the wake of above, the learned counsel for the applicant submits that on the same set of facts, against the same respondent, there are two contradictory judgments governing the field. As such, judicial discipline warrants review.

4. Shri Amol Sawant, learned counsel for respondent seeks

time.

5. In view of the fact that application is pending since 2013, by way of last chance, the matter is adjourned to 11th December 2017, so as to enable the learned counsel for respondent to file reply."

2. Considering the above order and the view expressed in paragraph No.3 and after hearing the learned Advocates for the respective sides on the factual matrix, the review application is allowed. The order of this Court dated 06/09/2007 is re-called.

3. By the consent of the parties, Writ Petition No.449/2006 is listed for 'passing orders', after hearing the respective sides, on 20/12/2017.

(RAVINDRA V. GHUGE, J.)