

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

CIVIL APPLICATION (CAO) NO. 401 OF 2017
IN
MISC. CIVIL APPLICATION ST. NO. 2576 OF 2016 (R)
IN
WRIT PETITION NO. 737 OF 2004(D)

(MANGAL JAGAN KAMBLE....VS.. C.E.O., ZILLA PARISHAD, WARDHA & ANR.)

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

Court's or Judge's orders

Shri D.S.Lambat, Advocate for Applicant.

CORAM : Z.A.HAQ, J.
DATED : JULY 21, 2017.

The original respondent(employee) seeks review of the judgment passed by this Court in Writ Petition No. 737 of 2004 on 24th November, 2015 by which the petition filed by the employer came to be allowed. By the judgment of which review is sought, this Court held that the employee failed to prove that he had worked for more than 240 days in the year preceding his termination/ removal.

The judgment passed by this Court was challenged in Petition for Special Leave to Appeal (C) No. 8983 of 2016 which is dismissed by the order passed on 18th July, 2016.

After the dismissal of the Petition for Special Leave to Appeal, the respondent (employee) has filed review application and as there is delay of 1 year 42 days this application is filed. In paragraph 3 of the application it is stated that the Petition for Special Leave to Appeal is dismissed on 18th July, 2016 and after that the employee had

sought information under the Right to Information Act which is supplied to him on 13th October, 2016 and then the review application is filed on 2nd February, 2017. The date on which the application under the Right to Information Act, 2005 was made to obtain the information is not given. It is not explained why the review application is not filed immediately after receiving information on 13th October, 2016.

Considering the facts of the case, the prayer made by the applicant/ respondent (employee) for condoning delay of 1 year and 42 days in filing the review application needs to be rejected.

The civil application is **dismissed**, consequently Misc. Civil Application (Review) Stamp No. 2576 of 2017 is **rejected**.

JUDGE

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