

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.O. NO.959/2017 IN M.C.A.ST. NO. 6786/2017 IN W.P. NO.4538/2009 (D)
 (DEODAS MAHADEO GANVIR **VERSUS** EX.DIRECTOR (HR), M.S.E.D.C.L., MUMBAI & OTHERS)

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

Court's or Judge's orders

Shri S.P. Kshirsagar, counsel for the applicant.

CORAM : SMT. VASANTI A NAIK AND
V.M. DESHPANDE, JJ.

DATE : JULY 28, 2017.

For the reasons stated in the application, the delay in filing the review application is condoned. The civil application is allowed and disposed of.

M.C.A. ST. NO.6786/2017.

Heard.

It is wrongly stated in the certificate filed by the counsel for the petitioner in this miscellaneous civil application that though a point that the representation of the petitioner was accepted by the higher authority was raised at the time of arguments, this Court did not consider the said ground.

We find that the said statement is incorrect as on 13.02.2017 after hearing the learned counsel for the petitioner, the judgment was rendered in the open Court. If the point was argued and the same was not mentioned in our judgment, the learned counsel would have informed the Court while the Court was rendering the judgment that the observations of the Court are incorrect or that the point which was raised at the time of the arguments is not incorporated in

the judgment. The review application is filed by making an incorrect statement that though the point in regard to the acceptance of representation of the petitioner was argued, the same does not find place in the judgment. Though several points may be raised in the petition, only the points that are argued at the time of hearing are required to be considered by the Court. Since the point in regard to the acceptance of the proposal was not argued and the writ petition was filed by the petitioner after his retirement seeking the deemed date of promotion from 07.03.1983, after nearly thirty years from the said date, we had dismissed the writ petition.

Since there is no ground for reviewing the order, the review application is dismissed.

JUDGE

JUDGE

APTE