

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

CIVIL APPLN. (O) NO.1682 OF 2016

IN

M. C. A ST. NO.17459 OF 2016

IN

WRIT PETN. NO. 3137 OF 2015 (D)

Zilla Parishad Akola, through its C.E.O. and another

-VS-

Rullah Khan Sarfarazkhan and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.M.V.Bute, counsel for the applicants/original respondent Nos.2 and 3..
Mr.Ram Karode, counsel for the non-applicant No.1/petitioner.
Mr. Ambarish Joshi, AGP for the respondent-State.

CORAM : SMT. VASANTI A. NAIK &
A. S. CHANDURKAR, JJ.

DATE : 07.04.2017.

CIVIL APPLN. (O) NO.1682 OF 2016

Heard.

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

M. C. A ST. NO.17459 OF 2016

Heard.

It is not disputed that the committee that had observed
that injustice was meted out to the original petitioner though the
petitioner had secured more marks than the appointed candidates
was duly constituted by the Zilla Parishad Akola to look into the
complaints made by the candidates. We have based our order on the
document at Annexure-L, page 66 of the original petition
constituting the committee of three members to look into the

complaints and the order of the committee dated 20/04/2013 that injustice is meted out to the petitioner by appointing the candidates that had secured lower marks than the petitioner. The said documents are not disputed. Since these two documents on the basis of which we had passed the order are not disputed by the applicant-zilla parishad, no ground is made out for reviewing the order, specially when the review is sought to be based on some documents which were not a part of the record in the writ petition.

The miscellaneous civil application stands rejected.

JUDGE

JUDGE

KHUNTE