

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

MISC. CIVIL APPLICATION (REVIEW) NO. 116 OF 2016
(RAMRAO BABAJI SHEGAYE...VS.. VIKAS SHIKSHAN MANDAL, NAGPUR & 2 OTH.)

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

Court's or Judge's orders

Shri Prashant N. Shende, Advocate for Applicant.
Shri A. Shelat, advocate for Respondent Nos.1 & 2.

CORAM : Z.A.HAQ, J.

DATED : JUNE 19, 2017.

Heard.

The applicant/ original respondent No.1 seeks review of the judgment passed by this Court on 17th July, 2014 by which the petition filed by the management is allowed, the order passed by the School Tribunal is set aside and the order of the management terminating the service of the applicant / respondent No.1 is upheld.

The applicant / respondent No.1 seeks review of the judgment on the following two grounds:

- i. That the submission made on behalf of the management at the time of hearing of the petition that the post on which the applicant/ respondent No.1 was appointed and continued for a period of about 9 years was reserved for N.T. Candidate is not correct and this is clear from the fact that after removing the applicant/ respondent No.1, the management appointed another candidate from "Other Backward Class" in that post.

- ii. That the applicant / respondent No.1 was appointed on 15th February, 1991 i.e. prior to 1995, therefore, as per the policy of the State Government he is entitled for continuation in the employment .

On examining the judgment of which the review is sought, I find that the submissions made on behalf of the applicant/ respondent No.1 as formulated in point No.1 above were made while deciding the petition and have been dealt with.

As far as the second submission is concerned, I find that it was not made when the petition was heard.

The learned advocate for the applicant/ respondent No.1 has not been able to point out any error apparent on the face of record which necessitates for consideration of this application.

The application is dismissed with costs of Rs.Two Thousand to be paid by the applicant/ respondent No.1 to the management.

If the receipt showing payment of costs within stipulated time is not produced on record of this Miscellaneous Civil Application till 5th July, 2017, issue Non-bailable Warrant to secure presence of the applicant Ramrao Babaji Shegaye.

JUDGE