

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**902 REVIEW APPLICATION (ST.) NO. 7276 OF 2018
IN WP/7350/20156**

**BHASKAR KADUBA DABHADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Applicant : Kadam Vithal P.
AGP for Respondents/State: Mr. A.S. Shinde

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**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATE : 06.04.2018**

PC. :-

Mr. Kadam, the learned advocate submits that the present applicant had filed petition against the order of the Tribunal. This Court considered that the promotion of Mr. Gawali in the year 1976 was not challenged by the present applicant, however, in the year 1980 four to five persons were also promoted. In para 9 of the writ petition the details are given and this aspect has not been considered by the Court. The applicant could have been given the deemed date of promotion at least from the date the persons who were promoted in the year 1980, this aspect has also not been considered.

2. This Court has exercised its jurisdiction under Article 227 of the Constitution of India. The writ petitioner had challenged the judgment of the Tribunal. In the memo of the original application, it was not the case of the present applicant that in the year 1980 some persons junior to the petitioner were promoted. In the writ petition, we were only considering the legality of the order passed by the Tribunal. The issue about some persons being promoted in the year 1980 was not a subject matter before the Tribunal *inter alia* the same could not have been considered in the writ petition and it cannot also be considered in the present review application.

3. In light of the above, the review application stands disposed of.
No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]