

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION NO. 139 OF 2018
IN
CIVIL WRIT PETITION NO.3613 OF 2016**

Shri Devidas Sakharam Godge. ..Petitioner.

V/s.

Sudhagad Education Society & ors. ..Respondents.

Mr. Dilip Bodake, advocate for petitioner.

Mr. Mandar Limaye, advocate for respondent Nos. 1 and 2.

Ms. Vaishali Nimbalkar, AGP for respondent Nos. 4 and 5.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : OCTOBER 24, 2018.

P. C. :

1 Heard the Learned Counsel for the parties.

2 Rule. Rule made returnable forthwith the consent of the parties.

3 The petitioner herein seeks review of the order dated 28/9/2016 passed by the then Hon'ble Justice Smt. R.P. SondurBaldota. She has retired on 9th March, 2017. According to the learned Counsel for the petitioner, the petitioner's appeal before the School Tribunal is allowed. The Petitioner is directed to be reinstated with full back wages. That there was partial compliance of the order by the School Tribunal. He had been reinstated. However, he was not paid full back wages and therefore, he was constrained to file execution petition. In the execution petition, he had claimed an amount due and payable to the tune of Rs.

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12,31,860/-. The School Tribunal has specifically noted that the claim of Rs. 12,31,860/- was miscalculated on the part of the petitioner, as he was claiming back wages from the year 1991, where as the tribunal has granted back wages from 22/5/1997. In Writ Petition No. 3613 of 2016, Pay-unit of the Department of the Education had fixed the amount due to petitioner at Rs. 11,32,919/-. The Petitioner had received the sum of Rs. 11,08,098/- and the remainder was to be paid to the petitioner, which he had received . In view of the undisputed fact and on the basis of the record, the Hon'ble Judge has dismissed the writ petition by a Judgment and Order dated 28/9/2016.

4 Upon perusal of the judgment and hearing the petitioner and also perusal of record, it is clear that there is no apparent error on the face of the record, which would warrant any indulgence in a review petition. Hence, Review Petition being sans merits stands dismissed.

[SMT. SADHANA S. JADHAV, J.]