

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

**1 CIVIL APPLICATION NO.13162 OF 2018
IN RAST/14435/2018**

**PRASHANT MURLIDHARRAO HIPPARGEKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Applicant : Mr. Milind Patil
AGP for Respondents 1 to 3 : Mr. S.B. Yawalkar
...

**CORAM : T.V. NALAWADE AND
K.L. WADANE, JJ.
DATED : 07/01/2019**

ORDER :

. Application is filed for condonation of delay of 29 days caused in filing the proceeding for review of the decision given by this Court in Writ Petition no. 2674/2009 on 7.3.2018. In view of the contentions made in the application and submissions made and also some record like subsequently issued Government Resolutions by the State Government, the application filed for condonation of delay is allowed. Delay is condoned.

2. Copy of Government Resolution issued by the State Government dated 3.11.2018 of Medical Education and Drugs Department and one order issued in favour of Dr. Shivaji Birare dated 4.10.2017 are produced on record. They show that to the similarly placed teachers the Government has given the relief

claimed. In view of the policy decision of the State Government, review application is allowed. The decision given by this Court in aforesaid writ petition is recalled and the decision of Maharashtra Administrative Tribunal given in OA No. 742/2006 to the extent of petitioner is hereby set aside. However, instead of giving relief claimed, in view of the policy decision, the Government is hereby directed to take decision in the matter of present applicant, petitioner also as per the policy expressed by the State Government in aforesaid two orders. In those terms the proceeding is allowed and disposed of. It appears that by interim order, this Court has given aforesaid benefits to the petitioner, applicant and that circumstance also needs to be considered by the State Government.

[K.L. WADANE, J.]

[T.V. NALAWADE, J.]

ssc/