

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

**CIVIL APPLICATION NO. 10480 OF 2019
IN/WITH
REVIEW APPLICATION (ST) NO. 19771 OF 2019
IN
WRIT PETITION NO. 12844 OF 2018**

State of Maharashtra and Others ..APPLICANTS

VERSUS

Dattu Bhau Karale ..RESPONDENT

....
Mr. S.G. Karlekar, A.G.P. for applicants

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**CORAM : S.V. GANGAPURWALA AND
R.G. AVACHAT, JJ.**

DATED : 20th SEPTEMBER, 2019

PER COURT :

Heard Mr. Karlekar, learned A.G.P. for the applicants.

2. Present application is for condonation of delay in filing review application. We have considered the review application on merits.

3. According to learned A.G.P., the respondent would be deemed to be government servant only from the date of his absorption in service. The said aspect needs to be considered.

4. We have earlier also dismissed the review application filed by State against similar order. We had considered the judgment and order delivered by the learned Industrial Court, Ahmednagar. Learned Industrial Court, Ahmednagar allowing the complaint filed by the petitioner granted benefit of permanency. In view of the judicial order passed in favour of the applicant by the learned Industrial Court granting permanency and the said order having attained finality, we had passed the order under review. We do not find any error apparent on face of record. Review application along with civil application, as such, is rejected.

SSD (R.G. AVACHAT, J.)

(S.V. GANGAPURWALA, J.)