

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

**REVIEW APPLICATION (CIVIL) NO. 57 OF 2021
IN
WP/8474/2021**

Baban Vitthal Bhope

... Petitioner

Versus

The State of Maharashtra
and others

... Respondents

....

Mr. B.R. Waramma, Advocate for the Applicant

Mr. A.R. Kale, A.G.P for Respondents / State

....

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 05th AUGUST, 2021

PER COURT:-

1. The review is sought of the order dated 05.01.2021 in writ petition no.8474 of 2020.

2. It is submitted by the learned counsel for the petitioner that the dispute does not pertain to the service condition. The petitioner had already retired and recovery is claimed on the basis of the order of the Labour Court erroneously. The Maharashtra Administrative Tribunal would not have the jurisdiction to decide the matter in issue.

3. We have also heard the learned A.G.P

4. The relief claimed by the petitioner in writ petition is challenging the notice dated 10.11.2020 issued by the Tahsildar, Shindkheda, thereby demanding recovery of an amount along with interest i.e. the amount decreed by the Industrial Court in favour of the father of the deceased. Learned AGP also accedes that the dispute does not pertain to service condition.

5. In light of that, the order under review dated 05.01.2021 is recalled. Writ Petition No.8474 of 2020 is restored to its original position.

6. Review application is disposed of

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P. Rane