

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

WRIT PETITION NO.5175 OF 2010
WITH
CIVIL APPLICATION NO.12093 OF 2011
IN WP/5175/2010
WITH
WRIT PETITION NO.299 OF 2011

**KHUSHAL KERBA MANKE
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

...

Advocate for the Petitioner in WP/5275/2020 and for respondent No.4 in WP/299/2011 : Shri K.P. Rodge h/f Shri Rodge Pratap G.

Advocate for the petitioner/ Management in WP/299/2011 : Shri N.P. Patil Jamalpurkar

Advocate for respondent Nos.4 and 5 in WP/5175/2010 : Shri Satish S. Deshmukh.

AGP for Respondents 1 to 3/ State : Shri S.R. Yadav Lonikar

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**CORAM : RAVINDRA V. GHUGE
&
S.G. MEHARE, JJ.**

DATE :- 31st August, 2021

Per Court :-

1. This is a motion for speaking to the minutes of the judgment dated 20.08.2021.
2. It is submitted that the appearance of Shri Satish S. Deshmukh, learned advocate, is shown on behalf of the petitioner

in Writ Petition No.5175/2010 and for respondent No.4 in Writ Petition No.299/2011. In fact, it should be Shri K.P. Rodge, learned advocate h/f Shri P.G.Rodge. So also, in paragraph 4 of the judgment, it is shown that Shri Deshmukh, learned advocate, appears for the petitioner (Shri Manke) and in fact, it should be corrected as Shri Rodge, learned advocate for the petitioner (Shri Manke).

3. In paragraph 4, it was recorded on the basis of the submissions of the parties that the superannuated employee Shri R.P.Lashkare belongs to the backward category and the petitioner also belongs to the backward category. Now, it is submitted that Shri R.P.Lashkare belongs to the open category, which means his retirement makes the post vacant for the open category.

4. This motion is partly accepted and disposed off to the extent of correcting the appearance of the parties in the judgment dated 20.08.2021 as under:-

“Advocate for the Petitioner in WP/5275/2020
and for respondent No.4 in WP/299/2011 : Shri
K.P. Rodge h/f Shri Rodge Pratap G.

Advocate for the petitioner/ Management in
WP/299/2011 : Shri N.P. Patil Jamalpurkar.

Advocate for respondent Nos.4 and 5 in
WP/5175/2010 : Shri Satish S. Deshmukh.

AGP for Respondents 1 to 3/ State : Shri S.R. Yadav Lonikar.”

5. The judgment be, accordingly, corrected.
6. However, to the extent of correction sought in paragraph 4 regarding the employee belonging to the Open Category, we are afraid that such correction cannot be made on the basis of the motion for speaking to the minutes of the judgment. If the petitioner desires, he may file a review application.

kps

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)