

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**914 REVIEW APPLICATION (CIVIL) NO.165 OF 2022
IN WP/6960/2018**

MAULANA AZAD EDUCATIONAL TRUST AURANGABAD THRU
PRESIDENT AND ANOTHER
VERSUS
SYEDA AMERA BANO AND ANOTHER

...
Advocate for Applicants : Mr. Dighe Pravin S.
Advocate for Respondent No.1 : Mr. V. V. Deshmukh
Advocate for Respondent No.2 : Mr. P. P. Kothari

...
WITH RA/166/2022 IN WP/6994/2018
WITH CA/8458/2020 IN WP/6960/2018
WITH CA/8456/2020 IN WP/6994/2018

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CORAM : ARUN R. PEDNEKER, J.

DATE : 24th November, 2022

PER COURT :

1. The learned Advocate for the review applicants submits that in the Judgment of this Court under review, this Court has upheld the Judgment of the Tribunal on merits granting reinstatement to the respondents and granted 50 % back wages.

2. The learned Advocate for the applicants submits that the Judgment under review, so also the Tribunal has held that petitioners have not produced any material to demonstrate that the

respondents/teachers were working on the contract basis and thus an adverse inference was drawn against the petitioners/ Management. The review applicants now wanted to place certain documents on record to show that the respondents' appointments are based on contractual basis and that the respondent had accepted the fact of appointment on contractual basis.

3. The petitioners state that the documents now produced bears the signature of the respondent teachers. The petitioners cannot be permitted to place fresh documents at the stage of Review of Judgment of this Court. There is limited scope to interfere to the Judgment under review. Fresh documents filed by the applicants cannot be permitted to be taken on record.

4. The learned Advocate for the applicants also wishes to argue on the aspect of the back wages pointing out various Judgments. Present proceedings are not appeal proceedings. The review applications stand dismissed. Pending civil applications also stand disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.