

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

**918 CIVIL APPLICATION NO.8649 OF 2019
IN
REVIEW APPLICATION (ST) NO.23300 OF 2018
IN
WRIT PETITION NO.6645 OF 2011**

**KISHAN DATTATRAYA UGLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Applicant : Mr. S.R. Kolhare
AGP for Respondent / State : Ms. R.P. Gour
...

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 06-10-2022

PER COURT :

. This Civil Application is filed for condonation of delay caused in filing review application challenging the common judgment and order passed in Writ Petition No.6645 of 2011.

2. The dispute is about grant of approval to the appointment of the applicant as a teacher.

3. This Court after noticing that the appointments were made against the posts which were reserved for candidates belonging to the reserved categories and after taking instructions from the learned advocate for the Management regarding availability of

general category posts where the petitioners (including the present applicant) could be accommodated and after the learned advocate for the Management informed about the posts for general category would be available by the next year, this Court had disposed of the writ petition by directing the Management to appoint the petitioners (including the applicant) against the two vacancies in the general category and it is thereafter that the Education Officer was directed to grant approval to their appointments against admissible grant-in-aid posts.

4. By way of this review application, with a request for condoning the delay, the applicant is now seeking a direction that the appointment which was directed to be made against the open category post should have been directed to be from their initial date of appointment, perhaps, because the Education officer has granted approval only with effect from 22.01.2014 pursuant to the order passed by this Court under review.

5. Apart from the fact that there is absolutely dearth of any ground which would enable us to undertake a review, the learned advocate for the applicant also informs us that the applicant has already challenged the order of the Education Officer granting approval with effect from 22.01.2014 by way of a separate writ

petition which is pending.

6. It is trite that the review cannot be an appeal in disguise. That apart, a same relief is being claimed by two different proceedings.

7. The Civil Application for condonation of delay is rejected.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)

GGP