

Urmila Ingale

URMILA
PRAMOD
INGALE

Digitally signed
by URMILA
PRAMOD
INGALE
Date:
2022.10.12
19:43:17 +0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11000 OF 2018

Shri Bhagwan Tanaji Sawant ..Petitioner
VS.
The Executive Engineer,
Irrigation Project, Ratnagiri ..Respondent

**WITH
WRIT PETITION NO. 10967 OF 2018**

Shri Samadhan Sakharam Phatak ..Petitioner
VS.
The Executive Engineer,
Irrigation Project, Ratnagiri ..Respondent

**WITH
WRIT PETITION NO. 11005 OF 2018**

Shri Shahaji Shripati Yadav ..Petitioner
VS.
The Executive Engineer,
Irrigation Project, Ratnagiri ..Respondent

**WITH
WRIT PETITION NO. 5438 OF 2019**

Shri Dinesh Balkrishna More ..Petitioner
VS.
The Executive Engineer,
Irrigation Project, Ratnagiri ..Respondent

Ms. Pallavi A. Karanjkar h/f Mr. Sandeep S. Koregave, for
petitioners.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 12, 2022

P.C. :

1. The office listed the present matters for speaking to the minutes of the order dated 23/09/2022 as there is a typographical error in the said order.

2. In the order dated 23/09/2022, in page no. 17, para no. 17, line no. 2 instead of "(ULP Nos. 56/2016, 146 to 161/2011, 169 to 174/2011 and 20/2011)", it should be read as **(ULP Nos. 56/2016, 107/2016. 109/2016, 83/2016).**

3. So far as paragraph 7 of the order dated 23/09/2022 is concerned, some corrections are made suo motu. With respect to paragraph 7, it is clarified that the submission of learned counsel Mr. Koregave was that he will give up the claim for backwages during the period of delay in filing revision. In this view of the matter, the following line in paragraph 7 of the said order shall be treated as deleted from the order dated 23/09/2022.

"and even if they are to succeed, they will claim backwages from the date of the revision application filed by them before the Industrial Court and subject to appropriate orders that may be passed by the Industrial Court on merits."

and instead, the following line is added.

"It is further made clear that this is only a submission recorded and the grant of backwages or otherwise for the delay will have to obviously be decided by the Industrial Court in view of the settled principles."

- 4.** The order stands corrected accordingly.
- 5.** This order be treated as part of the order dated 27.09.2022.

(M. S. KARNIK, J.)