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

**REVIEW PETITION NO. 68 OF 2022
IN
WRIT PETITION NO. 9967 OF 2019**

H. G. Gund

.. Petitioner

Vs.

The Flag Officer Commanding
-in-Chief

.. Respondent

Mr. Jaiprakash Sawant for petitioner.

Mr. P. M. Palshikar a/w Mr. Aniruddha A. Garg for
respondent.

**CORAM: DIPANKAR DATTA, CJ. &
M. S. KARNIK, J.**

DATE : AUGUST 26, 2022

P.C.:

1. This is an application for review of the order dated July 13, 2022 passed by us dismissing Writ Petition No. 9967 of 2019 for the reasons recorded therein.

2. Having heard Mr. Sawant, learned advocate for the review petitioner and Mr. Garge, learned advocate for the respondent, we are of the considered opinion that the order under review suffers from an error apparent on the face of the record. The petitioner had not challenged the award of the Central Government Industrial Tribunal No.2, Mumbai, dated March 12, 2018 but had challenged the order passed by the respondent dated April 25, 2019 in pursuance of the directions contained in the said order. We had upheld the

award without commenting on the legality and/or validity of the order passed in pursuance thereof.

3. For the reasons aforesaid, the order dated July 13, 2022 stands recalled on review. Writ Petition No. 9967 of 2019 revives and is restored to its original file and number.

4. The review petition stands disposed of accordingly.

5. We intended to proceed with the hearing of the writ petition afresh and called upon Mr. Sawant to demonstrate how the impugned order is either illegal or invalid. At this stage, Mr. Sawant submits that some time may be granted to enable him return better prepared to answer the queries posed by us.

6. List Writ Petition No. 9967 of 2019 on Tuesday, September 20, 2022.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)

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DASHARATH
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