

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MISC. CIVIL APPLICATION NO.547 OF 2022 IN
WRIT PETITION NO.399 OF 2016

Vidya Vikas Mandal, Lakhandur and others

Vs.

State of Maharashtra, through its Secretary, Ministry of Education, Mumbai and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri R.L. Khapre, Senior Advocate a/b Shri Raghav Kavimandan, Advocate for petitioner.

Ms H.N. Jaipurkar, AGP for respondent(s)/State.

CORAM : AMIT BORKAR, J.

DATE : SEPTEMBER 26, 2022.

By this application, the applicant is seeking recall of order dated 02.08.2022 on the ground that he was not party to the petition.

2. According to the applicant, he is senior than petitioner no.2. The controversy as to whether he is senior to the petitioner no.2 cannot be gone into in the present review application but since it appears that the rights of applicant are affected without giving him opportunity of hearing, the applicant has made out a case for recalling of order dated 02.08.2022. I, therefore, pass the following orders:

ORDER

- i. Order dated 02.08.2022 is recalled.
- ii. In Writ Petition No.399/2016, the petitioner is directed to add the present applicant as a respondent.

iii. Amendment be carried out within a period of one week from today.

iv. Since there was interim relief running in favour of petitioner in writ petition, said interim relief is restored.

v. The civil application stands disposed of.

WRIT PETITION NO.399 OF 2016

The petitioner is permitted to carry out amendment in the memo of petition to state relevant facts in relation to added respondent.

2. Added respondent shall also be entitled to file reply to the amendment carried out by the petitioner.

3. Stand over to two weeks.

JUDGE

Wagh