

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

**REVIEW PETITION NO. 18 OF 2023
IN
WRIT PETITION NO. 6957 OF 2019**

State of Maharashtra, through
Principal Secretary, Labour
Industrial Energy and Labour Dept,
Mantralay

.....Petitioner

V/s.

Sanjay Dinkarrao Mankar and Ors.

.....Respondents

Mr. A.Y. Sakhare, Senior Advocate i/by. Mr. N.C. Walimbe, AGP for State.-
Government Pleader for petitioner in RPW-18-2023.

Mr. Sanghraj D.Rupwate i/by. Ms. Shraddha Vavhal, Advocate for
respondent no.1.

Mr. Piyush Pande a/w. Mr. Kartikeye Rao, Advocate for respondent no.2.

**CORAM : S.V. GANGAPURWALA, ACTING CJ &
SANDEEP V. MARNE, J.**

DATE : 28th MARCH, 2023.

P.C. :

1. The petitioner seeks review of the order of this Court dated 30th January, 2023 passed in Writ Petition No. 6957/2019.

2. Mr. Sakhare, learned Senior Advocate appearing for the petitioner, submits that while passing the judgment dated 30th January, 2023 this Court in para-11 has observed that the posting order dated 29th September, 2018 could not have been stayed by oral directives allegedly communicated to respondent no.2 on telephone.

3. Mr. Sakhare, learned Senior Advocate submits that there was a noting in the file on 6th October, 2018 and on 4th October, 2018, oral directions were also issued to cancel the posting of the petitioner on promotion at Nagpur. The said fact ought to have been considered by this Court.

4. We asked Mr. Sakhare, learned Senior Advocate for the petitioner as to whether there is any written order staying the posting order dated 29th September, 2018. Mr. Sakhare very candidly and fairly accepted, there is no written order staying the posting order dated 29th September, 2018. We cannot comprehend, that posting order dated 29th September, 2018 can be stayed by some oral directions on telephone. Subsequently also, no such order appears on record staying the posting order dated 29th September, 2018.

5. In light of that, we do not find any error committed in the order dated 30th January, 2023.

6. Review Petition is dismissed. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)

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SHAILESH
SAWANT

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