

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

REVIEW PETITION NO.121 OF 2022

IN

WRIT PETITION NO.10631 OF 2019

Javed Rajjak Tamboli

.. Petitioner

Vs.

State of Maharashtra,

Through Ministry of Education,

School Education Department and Ors.

.. Respondents

Mr. Wasim N. Samlewala, i/by Mr. Irshad M. Malik, for the Petitioner.

Ms. Sushma Bhide, AGP for Respondent Nos.1 to 3–State.

Mr. Sandeep S. Salunkhe for Respondent No.4.

CORAM : SUNIL B. SHUKRE & AMIT BORKAR, JJ

DATE : 11TH APRIL, 2023.

[IN CHAMBER]

P.C. :

1. Heard learned counsel for the review petitioner, learned counsel for respondent no.4 and learned AGP for the respondent–State.

2. The whole case of the review petitioner revolves around the Government Resolution dated 24th August 2018, as submitted by learned counsel for the review petitioner, which directs Education Officers across the State of Maharashtra to refrain from rejecting the proposals seeking approval of the appointments of Teachers only on the ground that the appointments were made

after 2nd May 2012. It further directs them to reconsider their decisions taken earlier, whereby they have rejected the proposals for appointments of Teachers on the said ground. This Government Resolution was not annexed to Writ Petition No.10631 of 2019 and no argument was made based upon this Government Resolution. Of-course, the learned counsel for the review petitioner points out that a ground, which was ground no.14, was indeed taken in the Memo of Petition, whereby a reference has been made to the Government Resolution dated 24th August 2018 and based upon it, leave of the Court to refer to and rely upon the said GR, when produced by the petitioner, was sought. The said GR was never produced by the petitioner before this Court and, therefore, the question of grant of leave to rely upon it never arose.

3. Such being the factual scenario of this case, we do not think that there is any error apparent on the face of the record in the order sought to be reviewed and as such, we further find that there is no substance in the review petition. Of-course, the review petitioner can still apply to the concerned Education Officer for reviewing his impugned decision on the basis of the Government Resolution dated 24th August 2018.

4. With these observations, the review petition stands dismissed.

[AMIT BORKAR, J.]

[SUNIL B. SHUKRE, J.]