

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION NO.53 OF 2023
IN
WRIT PETITION NO.13792 OF 2022**

Maharashtra Rajya Rashtriya Kamgar
Sangha and Ors. ... Petitioners
versus
Exide Industries Ltd. ... Respondent

**WITH
REVIEW PETITION NO.54 OF 2023
IN
WRIT PETITION NO.13233 OF 2022**

Maharashtra Rajya Rashtriya Kamgar
Sangha and Ors. ... Petitioners
versus
Exide Industries Ltd. ... Respondent

Mr. Shailesh S. Pathak with Mr. Jay Vora, for Petitioners.
Mr. D.J.Bhanage, for Respondent.

CORAM: N.J.JAMADAR, J.

DATE : 21 JUNE 2023

P.C.

1. Heard the learned Counsel for the parties.
2. These Review Petitions are preferred seeking review of the judgment and order dated 28 April 2023 passed by this Court in Writ Petition Nos.13792 of 2022 and 13233 of 2022, whereby the Writ Petitions came to be dismissed.
3. The learned Counsel for the Petitioners submitted that the said judgment and order warrants review as in the Model Standing Order framed by the

State Government, there is no condition of transfer and appointment letters which contain condition of transfer are, thus, void and illegal. It was further submitted that the distance between the places of present posting and the transfer, being about 1300 kms., is prohibitory and, resultantly, the Petitioners would be deprived of their family life. The learned Counsel for the Petitioner would further urge that the right to family life is construed as a facet of right of life under Article 21 of the Constitution of India.

4. I have perused the grounds in the Review Petitions. The contention that condition of transfer in the appointment order does not authorize the employer to transfer the employees to a new establishment was considered by this Court in the judgment, which is sought to be reviewed. Rest of the grounds sought to be urged by the learned Counsel for the Petitioners are in the realm of the merits of the matter. None of the grounds can qualify as the one pointing out an error apparent on the face of the record. Nor there is any other sufficient ground to review the judgment and order passed by this Court.

5. Hence, the Review Petitions stand dismissed.

(N.J.JAMADAR, J.)