



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 REVIEW APPLICATION (CIVIL) NO. 58 OF 2024
IN WP/11794/2022

Chhatrapati Shahu Shikshan Sanstha Akhada Balapur
Through its President and another

VERSUS

Prakash Sambhaji Waghmare and others

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Advocate for Applicant : Mr. N.B. Khandare

Advocate for Respondent No.1 : Mr. G.A. Gadhe

AGP for Respondent Nos. 2 and 3: Mr. V. M. Kagne

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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.**

DATED : 25th APRIL, 2024.

PER COURT :-

1. The applicants were parties to the Writ Petition No. 11794 of 2022. The petitioner before us in the said Writ Petition was the employee of the present Review Applicants. The only prayer put forth before this court was that Swami Ramanand Teerth Marathwada University, Nanded (hereinafter for the sake of brevity referred to as "the Nanded University"), has cleared the proposal of the Petitioner for Career Advancement Scheme (CAS) Benefits and after approval of Nanded University, the proposal is pending before the Joint Director of Higher Education, Nanded Region, Nanded, for seven months. He only prayed that the proposal be considered by the Joint Director of Higher Education in view of the approval of the

Nanded University. It is in the above admitted facts and circumstances, that we had passed the following order:-

"2. We find that when the University itself has approved the placement of teachers in the Career Advancement Scheme, respondent No.2 had to complete a formality of passing an order granting his concurrence, save and except the circumstances indicating a serious legal impediment. For seven months, no orders are passed.

3. In view of the above, this Writ Petition is disposed off with the direction to respondent No.2 to pass an appropriate order on the academic approval granted by the University to the placement of the teachers in CAS, on or before 11.01.2023."

2. The learned advocate for the Applicants has vehemently contended that had the Applicants appeared in the Writ Petition No. 11794 of 2022, it would have brought to the notice of this Court that Nanded University had committed an error in clearing the proposal of the Petitioner.

3. We do not find the said ground to be either sufficient for entertaining a Review Application, or for causing any interference in the order. This Court had merely called upon Respondent No.2 to pass an appropriate order on the proposal of the Nanded University, save and except, for any reason indicating any legal impediment. The Petition was not by the college, in as much as, the Petition was

not filed for challenging the legality and validity of the approval granted by the Nanded University. The Petition was by the employee only seeking an order that Respondent No.2 should pass some order on the proposal pending for seven months. We only observed that an order be passed on the said pending proposal.

4. In view of the above, we do not find that the Review Applicants have any ground to point out any error apparent on the face of the order.

5. **This Review Application is, therefore, rejected.**

6. In so far as the contention of the Review Applicants that they have filed Writ Petition No. 111 of 2023, for challenging the decision of the Nanded University and the said matter is pending before a coordinate Bench, we are not required to make any observation.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)

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