



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION NO. 567/2021

IN

WRIT PETITION NO.5982/2015 (D)

Chandrashekhar Santoshrao Bodhkhe Vs. State of Maharashtra and Ors.

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

Court's or Judge's orders

Mr. C. B. Dharmadhikari, Advocate for Petitioner/Applicant.
Ms S. S. Jachak, A.G.P. for Non-applicants/State.
Mr. D. M. Kakani, Advocate for Non-applicant Nos.2 and 3.
Mr. D. R. Bhoyar, Advocate for Non-applicant No.4.

CORAM : VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 06/09/2024.

. Heard.

2. The petitioner is seeking review of the order of this Court dated 12.07.2019 passed in Writ Petition No.5982/2015. The petitioner has been again terminated by the contractor vide order dated 04.12.2019 which has occasioned the petitioner to seek review of the aforesaid order.

3. The facts in brief are that the petitioner's father owns a piece of land, which was acquired by the Maharashtra Jeevan Pradhikaran for Water Supply Scheme on assurance that the petitioner would be employed. In pursuance of said assurance, the petitioner was employed in the year 2001 through a contractor employed by Pradhikaran. Later on, the entire scheme was handed over to respondent No.4 – Zilla Parishad, Wardha. The petitioner's services were discontinued and, therefore, the original petition.

4. In original petition, by various orders, this Court has amply made it clear that though the scheme has been transferred, the transferee enters into the shoes of Pradhikaran and thus, respondent No.4 was bound to employ the petitioner. After great pursuance, the petitioner came to be appointed through a contractor appointed by respondent No.4.

5. In the meantime, the petitioner's salary was withheld, that is why Civil Application (CAW) No.2459/2018 was moved. In said application, this Court gave clear directions to pay the arrears of salary to the petitioner and by taking note of the fact that the petitioner has been employed through contractor, in fact, which was the main prayer, the petition was disposed of.

6. It is the petitioner's grievance that after disposal of the petition, the contractor is harassing and by letter dated 04.12.2019, he has been again terminated. We have gone through the said letter, from which it is evident that the petitioner did not join at transferred place at Wadala, which resulted into his termination. Reverting back to the original petition, it is not disputed that the petition was for giving an employment to the petitioner, which was complied and noted by this Court on 12.07.2019. Thus, the purpose of the said petition was served. The cause which is now tried to be canvassed by the petitioner has evolved later and if the petitioner desires to challenge the letter of termination, it is a new cause of action.

7. In view of that we do not see any reason to entertain the review. The petitioner is at liberty to apply recourse of law for challenging the subsequent action, if advised so.

8. The application stands disposed of in above terms.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)