



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Misc. Civil Application No. 498 of 2021

in

Writ Petition No. 4874 of 2017 (D)

[Dr. Rajendra Prasad ..vs.. Sant Gadgebaba Amravati University, Through its Registrar, Amravati]

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

Court's or Judge's orders

Mr. S. S. Sanyal with Ms. Shiba Thakur, Advocates for the
applicant/petitioner
Mr. P. A. Gupta, Advocate h/f Mrs. Gauri Venkatramam, Advocate for the
non-applicant/respondent

CORAM : ANIL L. PANSARE J.

DATED : 12-02-2024

The applicant – original petitioner seeks to restore
Writ Petition No. 4874/2017.

2. However, perusal of order dated 10-2-2021 by
which the petition has been dismissed indicates that the
inference has been drawn on merit, order reads thus :

*“1. Heard learned counsel Shri J.B.Kasat for
the respondent. None appears for the petitioner.*

*2. Learned counsel Shri Kasat for the
respondent, submits that after termination, the
petitioner preferred appeal under Section 59 of the
Maharashtra Universities Act before the University
and College Tribunal, Nagpur. The said appeal was
registered as Appeal No.A-2/2012. It is his
submission that the said appeal was allowed by
judgment dated 9.10.2014 by quashing order of
termination. Accordingly, it is his submission that
the petitioner is reinstated in service. He
submitted that the present writ petition is filed for
claiming full back wages. It is his submission that
back wages were not claimed by the petitioner
when he presented the appeal before the Tribunal.*

Therefore, there was no order passed by the Tribunal in respect of back wages.

3. Since the petitioner himself has not claimed back wages in the memo of appeal before the Tribunal, the same was not granted by the Tribunal.

4. Considering submissions of learned counsel Shri Kasat for the respondent, there is no merit in the petition. The writ petition is dismissed. No costs.”

3. It is thus clear that the petition has been not dismissed for want of prosecution. Learned counsel for the applicant submits that none appeared for petitioner because of the outbreak of Covid-19 Pandemic. This cannot be ground for restoration of petition which has been decided on merit. There is no substance in the application. The application is rejected.

(Anil L. Pansare, J.)