



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CIVIL APPLICATION NO. 15486 OF 2023
IN REVIEW APPLICATION (ST) NO. 35650 OF 2023
WITH RAST/35650/2023 IN WP/11397/2018

HASHMI SAYYAD SHAMIN RASHID

VERSUS

MAHARASHTRA STATE ROAD TRANSPORT CORPORATION LATUR AND
ANOTHER

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Ms. Poonam V. Bodke Patil – Advocate for Applicant

Mr. A.B. Dhongade – Advocate for Respondent Nos.1 and 2

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 01.10.2025

PER COURT :

CIVIL APPLICATION NO. 15486 OF 2023

1. Heard.

2. For the reasons stated in the application, the delay in filing the application is condoned. The Civil Application is allowed and disposed of accordingly.

REVIEW APPLICATION (ST) NO. 35650 OF 2023

3. The applicant seeks review of the order dated 02.03.2023 passed by this Court in Writ Petition No. 11397 of 2018 endorsing the judgment and order dated 30.01.2018 rendered by the Industrial Court, Latur.

4. Ms. Poonam Bodke Patil, learned Counsel for the applicant submits

that in the order under review the contentions raised by the applicant in the aforesaid Writ Petition are not dealt with. This Court ought to have adjudicated upon the issue of petitioner's service tenure. Consequently, the issue in relation to backwages and the finding thereon ought to have been rendered. As such, there is a patent error in not deciding the issue of length of service and entitlement of the backwages of the petitioner. Hence, prayed to allow the present application.

5. Mr. A.B. Dhongade, learned Counsel for the respondents has supported the order under review. It is submitted that this Court vide order dated 02.03.2023 has specifically in paragraph 11 and 12 that the Industrial Court in the impugned order has specifically directed the Corporation to conduct the enquiry expeditiously and to take decision about the service tenure and consequential wages of the petitioner within a period of two months from the date of order, as such prayed to dismiss the application.

6. Having considered the contentions put forth by the learned Counsel appearing for the respective parties, I have perused the order under review along with the judgment passed by the Industrial Court and perused the record.

7. It is a well settled position that a review application has a limited scope and a party seeking a review application, cannot be permitted to

re-agitate the issue in the original proceeding, as like a Writ Petition before the Court. (*Lily Thomas Vs. Union of India*, AIR 2000 SC 1650). Equally review jurisdiction is limited only for correcting errors of law manifesting injustice as has been reiterated by the Hon'ble Apex Court in the case of *State of Telangana and Ors. Vs. Mohd. Abdul Qasim*, (2024) 6 SCC 461.

8. The arguments advanced by learned Counsel for applicant have already been taken into account by this Court, which is apparent from the order under review which endorses the judgment by the Industrial Court on 30.01.2018. Nevertheless, no error is apparent on the record to invoke review jurisdiction.

9. Accordingly, the review application is dismissed.

10. However, there shall be no order as to costs.

[SACHIN S. DESHMUKH]
JUDGE