

Sneha Chavan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 13199 OF 2025
IN
WRIT PETITION NO. 10582 OF 2023

Ashok Ambarchandaji Munot & Ors. ...Applicants

IN THE MATTER BETWEEN

Dnyanoba Sadhu Sarate And Ors ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

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Mr. Manisha Devkar i/b Vidhyesh Dhamdhare , for the Applicant.

Mr. Subhash Gutte, for the Respondents/Original Petitioners.

Ms. T.N. Bhatia, AGP, for the Respondent/State.

**CORAM: SUMAN SHYAM &
M. M. SATHAYE, JJ.**

DATED: 25th NOVEMBER, 2025.

PC:-

1. Heard learned counsel for the parties.
2. This is an application by the Respondent Nos. 8, 9 and 10 in above writ petition, praying to recall the order dated 05.09.2024 passed in writ petition and to grant them an opportunity to put forth their case. Since, prayer is in the nature of review of the order dated 05.09.2024, hence, this application is placed before this Bench.
3. Learned counsel for the Applicants (Respondent Nos. 8,9 and 10) submitted that without hearing them, the order dated 05.09.2024 was passed directing them (i) to pay salary of the Petitioners as prayed in prayer clause (b) of the petition and (ii) it was further directed that if Respondent Nos. 8 to 10 do not pay the amount, the Court may consider holding Trustees of Management personally liable to pay amount. She

pointed out that under order dated 02.05.2024, the matter was adjourned to 11.09.2024, however, it was taken up before that date and therefore, the Respondent Nos. 8, 9 and 10 could not remain present.

4. Admittedly, the main writ petition is pending and the recall/review is sought of interim order dated 05.09.2024.

5. Considering the fact that the said order is passed in the absence of Respondent Nos. 8, 9 and 10, who were stated to be under the impression that the matter was adjourned to 11.09.2024 and further considering than main writ petition is pending, sufficient ground for review is made out. The order dated 05.09.2024, therefore, stands recalled.

6. **We dispose of this application by providing** that the prayer for interim relief in the petition, including prayer for interim payment of salary to the Petitioners, shall be considered afresh on 07.01.2026, after hearing the Respondent Nos. 8, 9 and 10 in the Writ Petition. The Respondent Nos. 8, 9 and 10 would be at liberty to file reply to the writ petition in support of their case. Similarly, the writ petitioners are also at liberty to file additional affidavit in the writ petition, raising the contentions as raised by them in their affidavit-in-reply dated 26.08.2025 to present interim application, if so advised.

7. List the Writ Petition on 07.01.2026.

8. Interim Application is disposed of in above terms.

(M. M. SATHAYE, J.)

(SUMAN SHYAM, J.)