



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

MISC. CIVIL APPLICATION NO. 500 OF 2023
IN WRIT PETITION NO. 3489 OF 2020

(President, Yeshwant Rural Education Society, Wardha & Ors. Vs. Mr. Milindkumar s/o
Sitaramji Jibhakate & Ors.)

WITH MISC. CIVIL APPLICATION NO. 504 OF 2023 IN WRIT
PETITION NO. 2121 OF 2021

WITH MISC. CIVIL APPLICATION NO. 503 OF 2023 IN WRIT
PETITION NO. 2684 OF 2021 AND

WITH MISC. CIVIL APPLICATION NO. 501 OF 2023 IN WRIT
PETITION NO. 2683 OF 2021

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

Court's or Judge's orders.

MISC. CIVIL APPLICATION NO. 500/2023

Mr. S.K. Bhoyar, Counsel for the applicant/s.

Mr. A.P. Raghute, Counsel for respondent nos. 1 to 6, 10 to 13,
15 and 16.

Ms Gauri Venkatraman, Counsel for respondent nos. 7, 9 and
14.

Mr. N.P. Lambat, Counsel for respondent nos. 19 and 20.

Mr. R.D. Bhuibhar, Counsel for respondent no.21.

MISC. CIVIL APPLICATION NO. 504/2023

Mr. S.K. Bhoyar, Counsel for the applicant/s.

Mr. A.P. Raghute, Counsel for respondent nos. 1, 3 and 9.

Mr. P.N. Shende, Counsel for respondent nos. 13 and 14.

Mr. R.D. Bhuibhar, Counsel for respondent no.15.

MISC. CIVIL APPLICATION NO. 503/2023

Mr. S.K. Bhoyar, Counsel for the applicant/s.

Ms Mugdha Chandurkar, Counsel for respondent nos. 1 to 4.

Mr. N.P. Lambat, Counsel for respondent no.8.

Mr. C.G. Rao h/f Mr. D.R. Bhoyar, Counsel for respondent no.9.

MISC. CIVIL APPLICATION NO. 501/2023

Mr. S.K. Bhoyar, Counsel for the applicant/s.

Mr. Rohan Chandurkar, Counsel for respondent nos. 3 and 4.

Mr. Nitin Lambat, Counsel for respondent no.8.

Mr. C.G. Rao h/f Mr. D.R. Bhoyar, Counsel for respondent no.9.

Mr. K.R. Lule, A.G.P. for the respondent/State in all the
applications.

CORAM : ANIL L. PANSARE AND
PRAVIN S. PATIL, JJ.
DECEMBER 19, 2025

Vide order dated 14/11/2025, we had directed the applicants to either deposit 50% of arrears of salary, as would accrue in terms of judgment under review, within four weeks from the date of order or to submit an undertaking that in the event the review applications are dismissed, the applicants shall pay entire salary/dues along with arrears within four weeks from the date of judgment.

2] The applicants assailed our order before the Hon'ble Supreme Court in Special Leave to Appeal (C) No. 34688/2025 with other connected petitions, and *vide* order dated 12/12/2025, the Supreme Court was pleased to dismiss the petitions as withdrawn.

3] That being so, the applicants were under an obligation to either deposit 50% of arrears of salary, as mentioned in the order, or to submit an undertaking. The Counsel for the applicants submits that the applicants are not in a position to do either, *viz.*, they are not in a position to deposit 50% of arrears of salary or to submit an undertaking, as directed. The reason assigned is financial condition.

4] We are surprised to hear the arguments/submissions, so made. For financial difficulty, one may understand that the applicants, for the time being, are not in a position to deposit 50% of arrears of salary, however, to not submit an undertaking that in the event the review applications are dismissed, they shall pay entire salary/dues along with arrears within four weeks from the date of judgment, is something unacceptable for two reasons; one is, that the applicants are anticipating that the review applications will be dismissed, and second is, that during

the time that will be spent to hear the review applications and to pass judgment, the applicants are not even inclined to make an attempt to generate funds.

5] The only conclusion that would follow is that the applicants were aware that chance of success is remote, else, the applicants, in our view, had multiple options available, one is, to furnish an undertaking and make sincere efforts to generate funds, and in the event the review applications are dismissed, to make further efforts to abide by the undertaking, and another is, to seek modification in the order after having made sincere efforts saying that despite efforts, funds could not be generated, and accordingly, to seek further time to pay salary/dues, which are otherwise legitimate. Unfortunately, the applicants have not even shown their desire to make their sincere attempt to generate funds.

6] Considering such a stand, and since the applicants are not willing to comply our order, we dismiss the applications for non-compliance of order with costs of Rs.5,000/- each to be deposited with the High Court Bar Association, Nagpur, who is requested to utilize the same for study circle purpose.

7] The applications are, accordingly, disposed of.

(PRAVIN S. PATIL, J.)

(ANIL L. PANSARE, J.)

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