



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

MISC. CIVIL APPLICATION NO.79 OF 2025

IN

WRIT PETITION NO.2570 OF 2021 (D)

Swargiya Shri Laxmanji Motghare Charitable Trust, Nagpur, Thr. Secretary and anr.

-vs-

Bhaurao s/o Gangaram Panchawate, Hirapur, Tq. Chimur, Dist. Chandrapur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri M. G. Bhangde, Senior Advocate with Shri V. P. Marpakwar, Advocate and Shri Ninad Lante, Advocate for petitioners.

Shri S. B. Bissa, Assistant Government Pleader for respondent No.2.

CORAM : ANIL L. PANSARE, J.

DATE : February 03, 2025

1. Heard.
2. In the judgment sought to be reviewed, this Court while allowing the petition partly, noted following facts in paragraphs 11 and 12 :

“ 11 : Thereafter on 14/10/2019 the managing body approved a decision taken by the College Development Committee and resolved to dismiss/terminate the services of the Petitioner. In this meeting, the Respondent No.2 is shown absent, however, Shri Jagdish Motghare was present.

12. Thus, it is evident that if not Respondent No.2, Shri Jagdish Motghare, one of the members of the College Development Committee, who happens to be the member of the managing body as well, has not only appeared as a witness against the Petitioner, but has participated in the entire decision making process to dismiss/terminate the services of the Petitioner. This participation would vitiate the decision making process as well as the decision taken.”

3. Shri Bhangde, learned Senior Counsel for the applicants-original respondent Nos.1 and 2 submits that Shri Jagdish Motghare was not the member of College Development Committee and further was not examined.
4. These facts having been made basis of final outcome, the error is apparent on the record is the contention.
5. Issue notice to the non-applicants, returnable on 18/02/2025.
6. Shri N. S. Warulkar, learned counsel waives notice for non-applicant No.1.
7. Shri S. B. Bissa, learned Assistant Government Pleader waives notice for non-applicant No.2.
8. Stand over to 18/02/2025.
9. To be heard along with Misc. Civil Application Stamp No.24309/2024 if office objections are removed within seven working days from today.

(Anil L. Pansare, J.)