



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION NO. 574 OF 2025
IN
WRIT PETITION NO. 1645 OF 2024 (D)

Hemant S/o Ramavatar Sharma

..VS..

The State of Maharashtra through its Secretary, Department of Higher Education,
Mantralaya, Mumbai-32 and others

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

Court's or Judge's orders

Mr. N. R. Saboo, Advocate for the Applicant/Petitioner.

Mrs. H. S. Dhande, Assistant Government Pleader for the Respondent
Nos.1, 2 and 6.

Mr. B. G. Kulkarni, Advocate for the Respondent No.3 and 4.

Mr. P. S. Tiwari, Advocate for the Respondent No.5.

CORAM : MRS. M. S. JAWALKAR AND
PRAVIN S. PATIL, JJ.

DATE ON RESERVING THE ORDER : 30/01/2026

DATE ON PRONOUNCING THE ORDER : 05/02/2026

ORDER : (Per – M. S. JAWALKAR, J.)

1. Heard learned Counsel for the applicant/petitioner
and learned Counsel for the respondents.

2. By this application, the petitioner seeking review of
the Judgment and order dated 24/06/2025, passed by this
Court in Writ Petition No. 1645/2024 (wrongly written as
Writ Petition No.1645/2018).

3. It is the contention of the petitioner that in the order
under review, it is wrongly mentioned in para 9 as

“respondent No.4 – School is governed by the provisions of the Maharashtra Employees of Private School (Conditions of Service) Regulation Act, 1977”, however, in the para 9 of the order, submission of the parties are recorded.

4. On perusal of the writ petition, the petitioner himself relied on the provisions of the Maharashtra Employees of Private School (Conditions of Service) Regulation Act, 1977, as reflecting in para 14 and Grounds (iii) and (x) of the petition, therefore, what is recorded in para 9 is the submission of the petitioner. In fact the Judgment and order passed by respondent No.2 – Joint Director of Higher Education is upheld. In the said order, itself there is a reference of Rule 4 (2) (C) (3) of the Maharashtra Civil Services (Regulation of Seniority) Rules 1982. There is no error on the part of this Court but it is the mistake of the petitioner referring to and relying on the Maharashtra Employees of Private School (Conditions of Service) Regulation Act, 1977 and the Maharashtra Civil Services (Regulation of Seniority) Rules 1982.

5. As such, there is no error apparent on the face of record and hence the review is liable to be dismissed. However, we clarify the order by adding provisions after the words, respondent No.5 is senior than the petitioner **“in view of Rule 4 (2) (C) (3) of the Maharashtra Civil Services (Regulation of Seniority) Rules 1982”**.

6. Thus, the review application stands **dismissed**. However, the modification clarifying the provisions be inserted in para 11 of the order dated 24/06/2025 as observed above and corrected order be uploaded.

(PRAVIN S. PATIL, J.)

(M.S. JAWALKAR, J.)

Kirtak