

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

CIVIL APPLICATION (CAW) NO. 495 OF 2026

IN

WRIT PETITION NO. 1395 OF 2024

Sanjay S/o Laxman Dandare

Vs.

Maharashtra State Electricity Transmission Company Limited, Mumbai and
others

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

Court's or Judge's orders

Shri Akshay Sudame, Advocate for petitioner
Shri D.M. Kale, Advocate for respondent Nos.1 & 2
Ms D.I. Charlewar, AGP for respondent/State

**CORAM : SMT. M.S. JAWALKAR AND
NANDESH S. DESHPANDE, JJ.**

DATED : 16.04.2026

This is an application seeking clarification of the judgment and order dated 11.02.2026, passed in the subject writ petition. It is the contention of the applicant-original petitioner that even though this Court has set aside the termination, there is no express direction regarding reinstatement and payment of back wages to the petitioner. He further points out the prayer clause in the petition, wherein prayer clause (v) expressly states about reinstating him in service with full back wages and consequential benefits. He therefore seeks a clarification as stated in the prayer clause of the application.

2. Per contra, Shri Kale, learned Counsel appearing for MSETC, opposes the contentions canvassed by the learned Counsel for the applicant by pointing us out the order dated 28.02.2024. Learned Counsel for the respondent-non applicant points us out that while issuing notice learned Counsel for the petitioner had made a categorical statement that he is willing to forgo his Tribe Claim as that of belonging to Halba-Scheduled Tribe. He therefore submits that the clarification as sought cannot be granted.

3. Having appreciated the contentions advanced by the learned Counsel for respective parties, we are of the considered opinion that by judgment dated 11.02.2026, we have already set aside the termination of the petitioner, however, we had negated the challenge to invalidation of his caste claim. Having recorded a finding that the termination is bad in law, a necessary consequence would be that the petitioner would be entitled to reinstatement and for payment of back wages.

4. In that view of the matter, the application is allowed. It is hereby clarified that judgment passed in Writ Petition No.1395/2024 would mean that after the termination of the petitioner is set aside the petitioner is entitled for an order of reinstatement with back wages and consequential benefits.

5. The application is allowed and disposed of as such.

6. The above clarification be inserted in the judgment and corrected copy of the same be uploaded.

(NANDESH S. DESHPANDE, J.) (SMT. M.S. JAWALKAR, J.)

Jayashree..