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RP-777-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJAY DWIVEDI

ON THE 7th OF MAY, 2025REVIEW PETITION No. 777 of 2025*DR. RAMKINKAR MISHRA**Versus**NANAJI DESHMUKH VETERINARY SCIENCE UNIVERSITY JABALPUR
AND OTHERS*

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Appearance:

*Smt. Manjit P.S. Chuckal - Advocate for the petitioner.**Shri K.C. Ghildiyal - Senior Advocate with Shri Ved Prakash Tiwari - Advocate for
respondent Nos.1 and 2.**Shri Arvind Shrivastava - Advocate for the caveator.*
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ORDER

Heard on the question of admission.

2. This review petition has been filed for recalling the order dated 22.04.2025 passed by this Court in W.P. No.23778 of 2018 whereby while disposing of the petition, the Court has directed that since the selection has already been done and appointed persons are working on their respective posts, therefore, *status quo* with regard to their present status shall be maintained for a period of three months from today and during the said period, the aforesaid exercise of preparing fresh select list be completed by the university.

3. The counsel for the review petitioner is seeking review of the order mainly on the ground that the petitioner (respondent No.3 herein) had no right to file such a petition which was disposed of by this Court vide order dated 22.04.2025 because after declaring the score card, the review petition i.e. R.P. No.492 of 2022 filed by the petitioner (respondent No.3 herein) had been



withdrawn on 27.06.2022 whereby she sought review of order dated 08.06.2021 passed by this Court in W.P. No.25379 of 2019 parties being Dr. Ramkinkar Mishra Vs. Nanaji Deshmukh Veterinary University and another. As per the counsel for the present petitioner, once the review petition challenging the score card had been withdrawn in which the present petitioner was shown to be meritorious, no petition could have been filed by the petitioner (respondent No.3 herein) challenging the selection of the present petitioner and, therefore, the order passed by this Court quashing the selection process of present petitioner is not proper.

4. However, I am not convinced with the submissions made by the counsel for the petitioner for the reason that when this Court has decided the petition filed by the present petitioner i.e. W.P. No.25379 of 2019 vide order dated 08.06.2021, in which respondent No.3 had not been made party, although, they raised objection with regard to the score card and the manner in which marks awarded and on their objection, the selection was cancelled, therefore, when this Court allowed and disposed of the petition directing the authority to go with the selection process, review was sought by filing R.P. No.492 of 2022 seeking recall of order dated 08.06.2021 passed in W.P. No.25379 of 2019.

5. From perusal of the review petition i.e. R.P. No.492 of 2022, it is clear that respondent No.3 had challenged the order mainly on the ground that the Selection Committee has prepared the score card not only contrary to eligibility criteria but also contrary to the conditions of the advertisement. However, in the meantime, the selection of the present petitioner namely Dr. Ramkinkar Mishra had been made and the review petition i.e. R.P. No.492 of 2022 was withdrawn informing the Court that the same has rendered infructuous.

6. Thus, it is clear that the appointment of the present petitioner was never



tested before the Court and in a petition i.e. W.P. No.23778 of 2018, by way of amendment, the selection of present petitioner was assailed mainly on the ground that the respondent/university has wrongly granted marks not only contrary to the provisions of law but also contrary to the conditions of advertisement.

7. During the course of arguments, the counsel for the petitioner as well as for the university failed to satisfy this Court as to under what provision, the marks were awarded by the university and when the manner of awarding marks has not been decided on merits by the Court and appointment of the present petitioner was not approved by the Court, this review petition cannot be entertained, especially in the circumstance when the order dated 22.04.2025 passed in W.P. No.13778 of 2018 was in presence of the present petitioner and also respondent/university that too after taking note of their stands taken in the reply. As such, the counsel for the petitioner failed to point out any mistake apparent on the face of record.

8. Thus, no case of review is made out. The review petition, in my opinion, is misconceived and accordingly, it is **dismissed**.

(SANJAY DWIVEDI)
JUDGE

ac/-

