

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

REVIEW APPLICATION NO. 7412 OF 2002

**IN
SECOND APPEAL NO. 409 OF 2001**

Dhondyabai w/o Maroti Yetale & Anr.

V E R S U S

Ramji Maroti Yetale

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CORAM : T.V.NALAWADE, J.

DATE : 16th OCTOBER, 2015

ORDER :-

1. The application is filed for review of the Judgment and order in Second Appeal No. 409 of 2001.
2. Heard learned counsel for the applicant.
3. It is the case of the applicant/original respondent of the Second Appeal that this court has committed mistake in giving decision of the entire share of the parties. Learned counsel for the applicant wants to show to this court that notional partition ought to have been made first and then partition ought to have been made for ascertaining the entitlement of the parties

regarding the shares.

4. The submissions made show that the learned counsel wants to make out the case that this court has committed mistake in complying the provisions of Hindu Law and due to that the shares allotted to the parties are not correct. In view of the scope of the review, this court can not change the decision, as fixing of shares is itself a decision and ought to have been challenged by filing Appeal. It is not the case that the law was not applied. It is the case that there was no proper application of law and this court has not correctly appreciated the law.

5. In that regard, no case is made out for review.

6. In the result, present Review application stands rejected.

[T.V.NALAWADE, J.]