

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

Civil Application No. 2694 of 2014

(In Review Application Stamp No. 35658 / 2013)

(In Civil Application No. 3332 of 2009)

(In First Appeal Stamp No. 17245 / 2001)

Ananda s/o. Govinda Thorat,

Age : 82 years,

Occupation : Agriculture,

R/o. Bahuli,

Taluka : Sillod,

District : Aurangabad,

& 2 others.

.. Applicants

(Original claimants)

versus

The State of Maharashtra,

through Special Land Acquisition

Officer, J.P. No.1, Aurangabad.

.. Non-applicant

(Original respondent)

.....

Mr. S.K. Adkine, Advocate, for applicants.

*Mr. N.B. Patil, Assistant Government Pleader, for
non-applicant - State.*

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CORAM : A.M. BADAR, J.

DATE : 10TH DECEMBER 2015

PER COURT :

1. This is an application for condonation of delay of 1695 days caused in filing the Review Application. By the Review Application,

applicants are seeking review of the order dated 3rd April 2009 in Civil Application No. 3332 of 2009, passed by this Court.

2. Heard the learned Counsel appearing for applicants / original claimants and the learned Assistant Government Pleader appearing for respondent - State.

3. Perusal of the order dated 3rd April 2009 passed in Civil Application No. 3332 of 2009 shows that the said order was passed in presence of the learned Counsel for applicants. By the said order, the application for condonation of delay in preferring application for setting aside the order dated 18th September 2001, passed by the Additional Registrar of this Court came to be rejected.

4. Perusal of the present application shows that the delay so occasioned is not at all explained. The averments made in the application are countered by filing reply by the State.

5. Though at the stage of condonation of delay merits of the matter cannot be considered, but bare perusal of the order dated 3rd April 2009 passed by this Court shows that the application for condonation of delay was rejected with reasons. It is seen that under the disguise of review petition, applicants want to set aside the order passed by this Court on 3rd April 2009 by asking the Court to exercise appellate jurisdiction. Under the disguise of review, relief which can be granted in appeal cannot be asked for.

6. As applicants have not demonstrated sufficient cause in condoning the delay, the Application is rejected.

(A.M. BADAR)
JUDGE

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