

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CIVIL APPLICATION NO.10277 OF 2014

IN

REVIEW APPLICATION ST. NO.6628 OF 2014

WITH

REVIEW APPLICATION ST. NO.6628 OF 2014

IN

CIVIL REVISION APPLICATION NO.285 OF 2012

WITH

CIVIL APPLICATION NO.10278 OF 2014

IN

REVIEW APPLICATION ST. NO.6628 OF 2014

Damyantibai w/o Shivaji Mate,
Age-54 years, Occu:Household,
R/o-Tandulwadi Road, Kallam,
Dist-Osmanabad.

...APPLICANT

VERSUS

- 1) Trimbak s/o Jaywantrao Shelke,
Age-57 years, Occu:Agriculture,
R/o-Borda, Tq-Kallam,
Dist-Osmanabad,
- 2) The State of Maharashtra,
Through the Collector,
Osmanabad,

- 3) The Tahsildar,
Tahsil Office, Kallam,
Dist-Osmanabad,
- 4) Taluka Inspector of Land Records,
Osmanabad, Dist-Osmanabad.

...RESPONDENTS

...
Mr.S.S. Choudhary Advocate for Applicant.
Mr.B.L. Dhas, A.G.P. for Respondent Nos.
2 to 4.

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CORAM: A.I.S. CHEEMA, J.

DATE : 14TH JANUARY, 2015

ORDER :

1. Heard learned counsel for the Applicant. Learned counsel has filed this Review Application Stamp No.6628 of 2014 for review of the Judgment in the matter of Civil Revision Application No.385 of 2012, dated 16th January 2014. In the Review Application, Civil Application No.10277 of 2014 had been filed for condonation of delay, claiming that the Applicant is illiterate and time was required to get copy of the Judgment etc. Civil Application No.10278 of 2014 has been filed

praying stay to the further proceedings in Regular Civil Suit No.237 of 2012, pending hearing and final disposal of the Review Application.

2. In the Review Application tendered, similar questions are being raised which were dealt with in the Civil Revision Application. Learned counsel is submitting that there are Judgments to show that even if the person concerned was not party to the suit, the person can raise the questions in execution proceeding. The questions raised have already been dealt with and decided by this Court in Civil Revision Application. Similar grounds are being again raised. There is no good reason to entertain the delay condonation application as well as the Review Application tendered, on the submission that there are rulings to be shown.

3. Both, Civil Application for condonation of delay and Review Application are rejected.

4. In the light of the disposal of Review Application itself, nothing survives consideration in the Civil Application No.10278 of 2014 also and the same stands disposed of, accordingly.

[A.I.S.CHEEMA,J.]

asb/JAN15