

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

RA (ST.) NO.16418 OF 2015
IN
WRIT PETITION NO.3569 OF 2014

Ramrao Vithalrao Neesale & anr. ..APPLICANTS

VERSUS

Rajendra Vithalrao Neesale & ors. ..RESPONDENTS

Mr R.D. Biradar, Advocate for applicants

CORAM : N.W. SAMBRE, J.

DATE : 24th June, 2015

ORAL ORDER :

The applicants have preferred the present application seeking review of the order dated 5th December, 2014, passed by this Court in Writ Petition No.3569 of 2014. By the said order, this Court has set aside the order passed by the learned Trial Court, below Exh.52, in Regular Civil Suit No.86 of 2009, seeking framing of additional issue in a suit for partition.

2. Learned Counsel appearing on behalf of the applicants would urge that the view taken by this Court while partly allowing the writ petition was incorrect and sought to agitate the issue decided by this Court again, in the light of the pleadings and the evidence.

3. After having heard the learned Counsel appearing on behalf of the applicants for some time, it is noticed that the applicants herein are seeking re-appreciation of the pleadings and the evidence, which in my opinion is not permissible in view of the judgment of the Apex Court, in the matter of **Kamlesh Verma vs. Mayawati & ors.**, reported in **(2013) 8 SCC 320**.

4. In that view of the matter, Review Application stands rejected with no order as to costs.

(N.W. SAMBRE, J.)

amj