

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 38 OF 2015
IN
WRIT PETITION NO. 7866 OF 2014

Sampat Jagu Bhosale
(since deceased through L.H)
Shri Sitaram S. Bhosale & Ors. .. Petitioners
vs.
Kiran Keshav Kharat & Ors. .. Respondents

Mr. R. V. Bansode for Petitioners.

CORAM : M. S. SONAK, J.
DATE: 16 APRIL 2015

P.C. :-

1] This review petition is nothing but an appeal in disguise. The learned counsel for the review petitioner submits that there are several decisions of this Court which take the view that variation of a consolidation scheme after several years is not justified. In this case, by an order dated 15 May 2014, delay was condoned. This Court, has not examined the issue as to whether such condonation was proper or not, but observed that in case, the final decision on merits is against the petitioner, then in the appeal which the petitioner may choose to institute, the petitioner will have the liberty to challenge the impugned order dated 15 May 2014, taking up the plea that the delay ought not to have been condoned.

2] In the aforesaid circumstances, the petitioner has not made out any ground for exercise of review jurisdiction. The attempt to virtually re-argue the matter at this stage, cannot be permitted.

3] Accordingly, this review petition is dismissed.

(M. S. SONAK, J.)

Chandka