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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION**

**REVIEW PETITION NO. 22 OF 2015
IN
WRIT PETITION NO. 7589 OF 2011**

The State of Maharashtra

... Petitioner

Versus

Shri. Ranjitsing Vasantrao Ghatage

... Respondent

Ms. P.S. Cardoso, A.G.P. for petitioner in Review Petition No. 22 of 2015 and original respondent nos. 1 to 3 in writ petition.

Mr. D.B. Savant and Mr. Sandesh Patil for original petitioner.

**CORAM : M.S. SONAK, J.
DATED : MARCH 09, 2015**

P.C.

This Review petition was instituted by the State relying upon the decision of the Full Bench of this court in the case of **Jitendra Manindranath Bose Vs. State of Maharashtra reported in 2011(5) All MR 669** which has taken a view that the decision of the Division Bench of this court in the case of **Samarth Cooperative Consumers Central Stores Limited Versus State of Maharashtra and Ors., in Writ Petition No. 4796 of 2003** does not lay down the correct position of law. This court in its judgment and order dated 6th February, 2012 of

which review is applied for, had placed reliance upon the decision in the case of Samarth Cooperative Housing Society Limited (supra). The records, however, reveal that the licence in question was not renewed for the period 2006-07. In view of the said factual position, no useful purpose would be served by entertaining this review petition.

2. Therefore, while clarifying that reliance upon the decision in the case of Samarth Cooperative Housing Society Limited (supra) was incorrectly placed, in the peculiar facts and circumstances of the present case, no occasion arises to review the directions contained in paragraph 5 of the judgment and order dated 6th February, 2012.

3. With the aforesaid observations, present review petition is disposed of.

(M.S. Sonak,J.)