

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION NO. 52 OF 2015
IN
WRIT PETITION NO. 5591 OF 2012**

Shashikant Bhaidas Shirsath Petitioner.

V/s

State of Maharashtra & Ors. Respondents.

Mr. R.K. Mendadkar alongwith Ms. Helan Koli for the
Petitioner.

Mr. P.G. Sawant, AGP for Respondent Nos. 1 to 4.

**CORAM: V. M. KANADE &
MRS MRIDULA BHATKAR, JJ.**

**DATE: 15th July, 2015
(In Chamber at 2.35 P.M.)**

P.C.:-

1. Since the Petitioner had already approached the Apex Court against the impugned order, the question of reviewing the said order does not arise. It is submitted that since the SLP was dismissed in limine, doctrine of merger does not apply. In our view, though there is some substance in the submission made by the learned Counsel for the Petitioner, propriety demands that once the SLP is dismissed, Review Petition cannot be entertained.

2. The learned Counsel also relied upon the judgment of this Court dated 12/4/2013 passed in Civil Writ Petition No.7569 of 2008 with Civil Writ Petition No.7576 of 2008. In our view ratio of the said judgment does not apply to the facts of the present case since facts in those cases were different.

3. Review Petition is accordingly dismissed.

(MRS MRIDULA BHATKAR, J.)

(V.M. KANADE, J.)