

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 385/2015

(SHAKUNTALA ASHOKRAO PATIL **VERSUS** THE GOVERNMENT OF MAHARASHTRA)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri S.P. Bhandarkar, counsel for the petitioner.
 Shri N.R. Rode, A.G.P. for the respondent.

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATE : AUGUST 25, 2015.

By this petition, the petitioner seeks a direction to the respondent to forthwith decide the review application of the petitioner, dated 21.12.2012.

The learned Assistant Government Pleader states that an identical prayer was made by the petitioner in Writ Petition No.1370 of 2013 and this Court had disposed of the said writ petition without issuing any direction as sought, as this Court was of the view that it was not apparent that the review was maintainable. This Court had observed that unless the Court was satisfied that the review was maintainable, a direction could not have issued to the authority. It is stated that the order dated 12.06.2013 would come in the way of the petitioner in seeking the relief, more so, when the same relief was sought by the petitioner in the previous petition.

We uphold the objection raised on behalf of the respondent. The petitioner would not be entitled to file successive petitions for the same relief though the earlier writ petition was disposed of after recording reasons. This Court had, by an order dated 12.06.2013, declined to issue a direction in favour of the petitioner and against the respondent to decide the review application as according to this Court, it was not apparent that the

review was maintainable. In view of the order dated 12.06.2013, it would not be possible to take a different view in the same matter and direct the respondent to decide the review application. Merely because the review filed by the other petitioner in the previous petition is decided, a direction, as sought in the instant petition, cannot be issued. The petitioner is free to move an appropriate application before the respondent for seeking early disposal of the review application.

For the reasons aforesaid, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

APTE