

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 3904 OF 2017
IN
REVIEW APPLICATION ST. NO. 8691 OF 2017
IN
WRIT PETITION NO. 3004 OF 2015
WITH
REVIEW APPLICATION ST. NO. 8691 OF 2017
IN
WRIT PETITION NO. 3004 OF 2015**

Pandhe Infracons Private Limited
Solapur through Ankur Anil Pandhe .. Applicant

Versus

Rajabhau @ Rajendra Digambar Mane
and others .. Respondents

Shri Milind Patil, Advocate for the Applicant.
Shri S. B. Pulkundwar, A.G.P. for Respondents/State.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.
DATE : 31ST MARCH, 2017.**

PER COURT :

. We have heard Mr. Patil, the learned counsel for the applicant. The applicant seeks review of the order dated 20th September, 2016 passed in Writ Petition No. 3004 of 2015.

2. According to the learned counsel the said order

prejudicially affects rights of the applicant. The applicant was not party in the writ petition. It was not heard and action is being sought to be undertaken on the basis of the affidavit filed before the Court by the Collector.

3. The review would be tenable only if there is an error apparent on the face of record. Perusal of the order dated 20th September, 2016 in Writ Petition No. 3004 of 2015, it is manifest that, we have not adjudicated upon any aspect of the matter. We had only recorded the affidavit filed by the Collector and the facts which are undertaken by the Collector in the said affidavit.

4. As there is no adjudication in the said writ petition, review on the said count also would not be tenable. The civil application along with review application stand disposed of.

5. Needless to state, if the applicant is prejudicially affected, then it may take such proceedings as may be permissible in law.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]