

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1624 OF 2017
AND
REVIEW APPLICATION (ST) NO. 24486 OF 2016

PRUTHVIRAJ DEVISING PARDESHI
VERSUS
SATMALA BANJARA SHIKSHAN SANSTHA AND ORS

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Advocate for Applicant : Shri Kolhare S.R.
Advocate for Respondents : Shri Kakade A.N.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: February 03, 2017
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PER COURT :-

1. Civil Application is allowed and delay is condoned.
2. Review Application is heard on it's merits.
3. Learned Advocate for the applicant has taken me through the four grounds raised by him.
4. It is trite law, in view of the judgment of the Honourable Supreme Court in the matter of Lily Thomas Vs. Union of India [AIR 2000 SC 1650], that a review application is not to be considered as if the court is rehearing the writ petition or considering an appeal. Error apparent on the face of the order is to be pointed out.

5. The first ground raised in the review application would contend that the judgment is totally erroneous and based on assumptions and presumptions without considering the statutory provisions. The applicant has failed to indicate which are those statutory provisions, which this Court has ignored while passing the order.

6. In ground No.2, it is stated that the judgment of the School Tribunal is not perverse and this court should not have interfered with the said judgment. Yet again, the applicant has tried to argue on the whole writ petition in order to justify the judgment of the School Tribunal.

7. In ground No.3, it is stated that the reliance placed upon the judgment of the learned Full Bench is incorrect and against the facts. The applicant has failed to indicate as to which is the law laid down in Ramkrushna More's judgment (supra), which has been erroneously followed by this Court.

8. In so far as the ground No.4 is concerned, the applicant contends that the order of this Court is unsustainable in the eyes of law. There can be no dispute that the order of this Court cannot be assailed before this Court.

9. Keeping in view that the applicant has failed to point out any error

apparent on the face of record, the review application is devoid of merits and is rejected.

(RAVINDRA V. GHUGE, J.)

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