

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

**Civil Application No.2917 of 2017
In
Review Application Stamp No.28218 of 2016
In
Second Appeal No.578 of 2015**

Kachru s/o Murlidhar Chakke
And Others.

.. Applicants.

Versus

Parighabai w/o Pandurang Devkate. **.. Respondent.**

Shri. Sachin S. Deshmukh, Advocate, for
applicants.

Coram: T.V. NALAWADE, J.

Date: 27 February 2017

ORDER:

1) The application is filed for condonation of delay of 12 days caused in filing review application. The applicants want review of the judgment delivered by this Court in Second Appeal No.578/2015 on 28-7-2016.

2) It is the case of the applicants that this Court has committed error in interpreting

the amended provisions of the Hindu Succession Act and the contentions that due to death of the father the shares had become fixed and even prior to that allegedly there was partition and so that could not have been opened, are not properly addressed by this Court. Thus, the applicants want that this Court to re-appreciate the facts and also the position of law. Apparently this is not possible in review and so there is no need to consider the prayer made for condonation of delay. It would be unnecessary harassment of the other-side if notice on this application is issued. It is open to the applicants to challenge the decision given by this Court. In the result, the civil application stands rejected.

Sd/-
(**T.V. NALAWADE, J.**)

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