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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION (St.) No. 16127 OF 2015
IN
WRIT PETITION No. 975 OF 2014
WITH
CIVIL APPLICATION No. 25 OF 2016

Shri Krishna Ganpati More ... Petitioner
Vs.
The State of Maharashtra & Ors. ... Respondents

Mr. Shashikant B. Deshpande, for the Petitioner.

Mr. V. P. Malvankar, "A" Panel counsel, for the Respondent - State.

CORAM : V. M. KANADE, &
C. V. BHADANG, JJ.

DATE : APRIL 10, 2017

PC.

1. Heard the learned counsel appearing on behalf of the Petitioner. The Petitioner has filed this review petition seeking review of an order dated 20th February, 2015. It is submitted that the finding recorded by this Court that the Petitioner did not have any objection for acquisition of land is incorrect. Secondly, it is submitted that the

finding that the Petitioner has filed a reference under Section 18 of the Land Acquisition Act is also incorrect. It is submitted that the following observation that “On a perusal of the document dated 9th August, 2011, which appears to have been signed by the Petitioner, it appears that the petitioner did not have any objection for the acquisition of land, at least on 9th August 2011 and had only sought compensation at the market rate.” is incorrect.

2. It is submitted that he had applied under the Right to Information Act and when he got the said document under the said Act, he realised that he has not signed the said document. Secondly, it is submitted that he had not filed any reference under Section 18.

3. In our view, while exercising review jurisdiction, this Court cannot sit in appeal over the finding recorded by it in its earlier order. Secondly, whether the document was signed by the Petitioner or not, is a question which cannot be gone into now at this stage. We are therefore, of the view that it is not possible to review the order dated 20th February, 2015 on this ground. Reserving the right of the Petitioner to challenge the said order in the Apex Court, review petition is disposed of.

4. In view of disposal of the review petition, Civil Application No. 25 of 2016 filed therein does not survive, and is accordingly disposed of.

Sd/-
[C. V. BHADANG, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath