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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**REVIEW PETITION NO.51 OF 2017
IN
WRIT PETITION NO. 960 OF 2013**

Baliram Shankar Chavan and Others Review Petitioners/
Original Petitioners.

In the matter between

Baliram Shankar Chavan & Others Petitioners.

V/s

State of Maharashtra and Others Respondents.

Mr. Tanveer Nizam for the Petitioner.

Ms. Jyoti Chavan, Asstt. Govt. Pleader for Respondent Nos. 1, 2, 4 and 5.

Mr. Rupesh R. Lanjekar for Respondent Nos. 4 and 8.

Mr. G.B. Walawalkar i/b Mr. S.P. Thorat for Respondent No.6.

Mr. Atul Damle, Senior Counsel a/w Ms. Swati H. Sagvekar for Respondent No.19.

Mr. Sahil Gandhi i/b M/s Markand Gandhi and Co for Respondent No.20.

**CORAM: B. R. GAVAI &
RIYAZ I. CHAGLA, JJ.**

**DATE: 22nd September, 2017
(In Chamber at 2.45 P.M.)**

P.C.:-

1] Petitioners have sought review of the order passed by this court dated 3rd July, 2017.

2] Mr. Nizam, learned Counsel for the Petitioner, submitted that an error, apparent on the face of record, has been committed by this Court. He submitted that though this Court has observed that the Hon'ble Minister i.e. the Revisional Authority has passed an order after hearing all the parties, including the Petitioners, the same is factually not correct. He submitted that such an observation has been made by this Court on two occasions. It is, therefore, submitted that the order need to be reviewed by this Court.

3] We have given elaborate reasons while dismissing the Petition. Apart from other reasons given by us, we have also observed that the present Petitioners are not entitled to any equitable reliefs in the extra ordinary jurisdiction under Article 226 of the Constitution of India, inasmuch as, in the suit filed by them, challenging the action of MHADA, the City Civil Court has specifically rejected their prayer for ad-interim orders. We have also considered the claim on equities, inasmuch as, as against the interest of 474 tenants, who had already shifted to the redeveloped premises, only present eight persons were refusing to shift to redeveloped accommodation.

4] Not only that, we had also categorically recorded a statement on

behalf of Respondent No. 19 that the redeveloped accommodation for all the Petitioners was ready and Respondent No.19 was willing to offer them the same at any point of time. It could thus be seen that we have also sufficiently protected the interest of the Petitioners while rejecting the Petition.

5] No case is therefore made out for exercising review jurisdiction. Review Petition is rejected.

(RIYAZ I. CHAGLA J.)

(B. R. GAVAI, J.)