

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MISC CIVIL APPLICATION (REVIEW) NO.983 OF 2015
IN
CIVIL REVISION APPLICATION NO.103 OF 2014 (D)

Hindustan Petroleum Corporation Ltd.

-vs-

Sanjay s/o Madhukar Mahakalkar

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri V. V. Bhangde, Advocate for applicant.
Shri S. K. Mishra, Senior Advocate along with
Shri Kaustubh Deogade, Advocate for non-applicant.

CORAM : A.S.CHANDURKAR, J.

DATE : January 13, 2017

The applicant seeks review of the order dated 27/08/2015 passed in C.R.A. No.104/2014.

Shri V. V. Bhangde, the learned counsel for the applicant submitted by referring to the grounds raised in the review application that the submissions made in support of the revision application have either not been considered or that they have not been appreciated in proper perspective. He has relied on ground Nos.3,4,6,7 and 11 of the application in that regard. He also placed reliance upon the judgment of the Honourable Supreme Court in *India Charge Chrome Ltd. and anr. v. Union of India and ors. (2005) 4 Supreme Court Cases 67* and judgment in *M.C.A. No.828/15 dated 03/12/2015 (Nanibai wd/o Laxmanrao Nabkhare and ors. vs.*

Vitthalrao Marotirao Navkhare).

Shri S. K. Mishra, the learned senior counsel for the non-applicant submitted that there is no error apparent on the face of record and the contentions as raised have been duly considered. It is urged that under the garb of seeking review, the entire proceedings cannot be reopened. In support of his submissions, he placed reliance on judgment of Honourable Supreme Court in ***M/s Northern India Caterers (India) Ltd. vs. Lt. Governor of Delhi AIR 1980 Supreme Court 674.***

After hearing the respective counsel for the parties and after perusing the order of which review is sought, I find that the errors sought to be pointed out as constituting errors apparent on the face of record, cannot be treated as such. The errors pointed out touch the merits of the matter that can be corrected in appellate jurisdiction. For said reason, the ratio of the decisions relied upon by the learned counsel for the applicant cannot be applied to the case in hand. I therefore find that there is no case made out to invoke review jurisdiction. The application is therefore dismissed. No costs.

JUDGE