

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

REVIEW APPLICATION NO.02 OF 2018

IN

WRIT PETITION NO. 5262 OF 2015

KALANDAR SIKANDAR RADVI

VERSUS

THE MAHARASHTRA GRAMIN BANK

HEAD OFFICE- SHIVAJINAGAR, NANDED, THROUGH ITS CHAIRMAN

Advocate for the applicant :Mr. Balaji S. Chondhekar

Advocate for the respondent: Mr. Pradeep Shahane

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 12th January, 2018

ORDER:

1. Heard both sides.
2. Learned counsel for the applicant strenuously submits that during course of hearing of the writ petition, the petitioner could not produce on record the documents dated 20.03.2013 and the proceedings before the disciplinary authority to show that the petitioner was demanding documents, however the documents were not given to the petitioner. The learned counsel submits that this would show that proper opportunity was not given to the petitioner. Even the documents which were filed by the bank were fabricated. All these aspects were required to be considered. As the material documents were not before

the Court, the order passed by the Court deserve to be reviewed.

3. It would not be possible in writ jurisdiction to consider about the nature of the documents. As far as the opportunity is concerned, it has been observed that the petitioner was given opportunity to verify the documents from time to time. As such, it cannot be said that no proper opportunity was given to the petitioner. It was observed that the petitioner was asked to show the details of 18 accounts which the petitioner was not in a position to show on the said day and on the next day, it was shown that all 18 accounts were closed. Even the allegations of unauthorized withdrawal and shortage of cash have been proved in the departmental proceedings. We have observed that in writ jurisdiction under Article 226 of the Constitution of India, it would not be possible to re-appreciate the whole evidence again.

4. In the light of above, no case is made out for review. Review application is dismissed. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC