

(1)

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

**REVIEW APPLICATION (CIVIL) NO.244 OF 2018
IN
WRIT PETITION NO.10884 OF 2018**

The Principal,
Jawahar Navodaya Vidyalaya,
At Post Manjra Sugar Factory,
Latur, Tal & Dist. Latur,
Latur – 413531 & ors.

..APPLICANTS

VERSUS

Master Shubham s/o Namdev Ghuge,
Age: 11 years, Occu: Student,
Through his Natural Guardian Father
Shri. Namdev s/o Narsanna Ghuge,
R/o. : Umerga (Ritu) Post Chera,
Tq. Jalkot, Dist. Latur,
At present R/o. Marwad,
Tq. Kalamnuri, Dist. Hingoli

..RESPONDENT

Mr S. B. Deshpande a/w R. R. Bangar, A.S.G.I. for applicants;
Mr S. V. Munde, Advocate for respondent

**CORAM : PRASANNA B. VARALE
AND
MANGESH S. PATIL, JJ.**

DATE : 14th December, 2018

ORAL ORDER:

Heard Mr Deshpande, learned Asstt. Solicitor General of India
appearing on behalf of the applicants.

2. By way of present application, the applicants who are the original
respondents in Writ Petition No.10884 of 2018 pray for review of the order
dated 16th October, 2018, passed by the Division Bench of this Court.

(2)

3. In his submission, Mr Deshpande placed heavy reliance on the Rules of admission for Navodaya Vidyalaya and more particularly Rule 4(a) thereof. The attempt of learned Counsel was to seek review of the order by touching the merits of the matter and leading for situation wherein the applicants wanted to re-hear the matter and pass the order afresh.

4. Insofar as the scope of review is concerned, it is the settled position of law that the scope for entertaining the review application is very limited one and again the scope is narrowed down on the settled grounds, such as, error apparent on the face of the record.

5. As stated above, there is nothing either in the application or in the submissions that there is an error apparent on the face of the record. The attempt is made only by taking recourse to the provisions of Rule 4(c). Perusal of the order dated 16th October, 2018 passed by the Division Bench of this Court very specifically shows that Rule 4(a) as well as 4(c) are considered by this Court. It was also observation of this Court that the petitioner was brought in such a situation wherein his application for admission in Jawahar Navodaya Vidyalaya in Latur was rejected and his application for Hingoli was also rejected. The Division Bench, thus, observed this situation in the words that the petitioner is neither being considered for admission from Latur nor Hingoli districts. The action of

(3)

respondents is prima facie arbitrary. We may add here that the object of setting up Jawahar Novodaya Vidyalayas is not to deny admission to the desirous students but to make the education facilities available to them. As no ground is made out in the application, the application, being thoroughly meritless, same deserves to be dismissed at the threshold and is dismissed accordingly.

(MANGESH S. PATIL, J.)**(PRASANNA B. VARALE, J.)**

sjk