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

**REVIEW APPLICATION (CIVIL) NO.246 OF 2018
IN
WRIT PETITION NO.9733 OF 2018**

Union of India,
Ministry of Railway,
New Delhi & anr.

..APPLICANTS

VERSUS

M/s ISC Projects-BNA Infra (JV)
Joint Venture, having office at IONX
Band Garden Road, Pune,
Through Ashwin Suresh Agrawal
Director of BNA Infrastructure Pvt. Ltd.
& anr.

..RESPONDENTS

Mr S. B. Deshpande, A.S.G.I. for applicants;
Mr S. M. Godsay, Advocate for respondent No.1

**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 i.e. original respondents in Writ Petition No.9733 of 2018.

2. By way of present application, the applicants pray for review of the order dated 2nd November, 2018, passed by the Division Bench of this Court in Writ Petition No.9733 of 2018.

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3. Perusal of the order passed by this Court clearly shows that the petitioner was before this Court against the e-mail order dated 6th August, 2018, thereby holding that the petitioner - contractor as not technically qualified. At the time of hearing, a statement was made on behalf of the respondent - employer through the Counsel representing the respondent. This Court thought it fit to dispose of the petition on the backdrop of the statement made by learned Counsel for respondent and this statement was made by learned Counsel on instructions from some of the officer of the respondent, who was present in this Court giving instructions to learned Counsel.

4. Perusal of the application shows that the only ground raised in the application is of a communication gap between the person, who was instructing the Counsel and the Counsel. It is stated in the application that there was a mistaken belief on which the order was passed. It is also stated in the application that the person, who was present in this Court instructing the Counsel had no authority to instruct the Counsel.

5. Considering all these grounds, we are unable to hold that any of these grounds is sufficient enough and substantial enough to entertain the application in a very limited scope of review petition. The grounds raised by the applicants are clearly unsustainable for seeking review of the order

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passed by this Court. The application, thus being thoroughly meritless, same deserves to be dismissed at the threshold and is dismissed accordingly.

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

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