

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**REVIEW PETITION NO. 13 OF 2018
IN
WRIT PETITION NO. 1589 OF 2017**

Akshay Prabhakar Yelpale	}	Petitioner
versus		
State of Maharashtra	}	
and Ors.	}	Respondents

Mr. B. S. Nayak for the petitioner.

Ms. S. D. Vyas-'B' Panel Counsel for State.

**CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.**

DATED :- JUNE 12, 2018

P.C. :-

1. Having heard Mr. Nayak appearing for the petitioner and perusing the review petition with his assistance, we do not see how our order can be reviewed and on the ground projected before us. That ground is that a certificate of validity issued to a close relative in the family should have been taken into consideration not only by the committee, but by this court and that vital material is ignored. We are sorry to say that the alleged ignorance alone would not suffice for the purpose of review. Something more is required in law for it is not as if that document was not available and despite due diligence, could not be produced

when the order under review was passed. It was very much on record, but despite that being the position, it was allegedly not taken into consideration. If that is so, then, the order can be challenged only before a higher court by pointing out the errors and anomalies therein. The very Bench that passed the order cannot be requested to review it on such a ground.

2. The review petition is misconceived and it is dismissed. There would be no order as to costs.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)