

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

REVIEW APPLICATION (CIVIL) NO. 145 OF 2019
IN WP/4924/2018 WITH WP/4910/2018

BHIMRAO DEORAO GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Applicant : Mr. G.K. Thigle.
AGP for State : Mrs. P.V. Diggikar.
Advocate for Respondent No. 4 : Mr. B.R. Sontakke Patil.

CORAM : M.S. Karnik, J.
Dated : 07.08.2019

Per Court :

1. Learned counsel for the petitioner submits that the decision in Writ Petition No. 4910/2018 will have a material bearing on the decision of Writ Petition No. 4924/2018. According to him if Writ Petition No. 4910/2018 is allowed, the date of birth in the school record of the petitioner would change and this would materially affect the decision in Writ Petition No. 4924/2018.

2. Learned counsel would further submit that notice before admission in Writ Petition No. 4910/2018 and Writ Petition No. 4924/2018 are issued on the same date. He would therefore submit that no orders in Writ Petition No. 4924/2018, should have been passed till the decision in Writ Petition No. 4910/2018.

3. Learned counsel would make submissions on merits of the review petition which are nothing but reiterations of the contentions advanced in Writ Petition No. 4924/2018. The scope of review jurisdiction is very limited. I do not find any error apparent on the face of record so as to warrant interference with the order dated 04.12.2018, in respect of which review is sought.

4. Moreover, there is no order directing that Writ Petition No. 4910/2018 should be heard with Writ Petition No. 4924/2018. Merely because Writ Petition No. 4924/2018 is heard and decided finally will not afford a ground to the review petitioner to contend at this stage that decision in Writ Petition No. 4910/2018 would have a material bearing on the controversy in Writ Petition No. 4924/2018 and therefore, the order needs to be recalled. The review petition is rejected.

(M.S. Karnik, J.)

S.P.C.