

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

**REVIEW APPLICATION NO. 176 OF 2018 IN
CIVIL APPLICATION NO. 5309 OF 2018 IN
WRIT PETITION NO. 382 OF 2018**

SHAIKH BEGU SHAIKH MANNU DIEDLRSSHAikh KARIM
SHAIKH BAGU DIED LRS ABDUL RAHIM SHA
VERSUS
SANDU RAMJI SALVE AND OTHERS

...
Advocate for the Applicant : Shri V. D. Sonwane h/f.
Shri M.K.Deshpande
AGP for Respondent No. 6 : Shri S. W. Munde
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CORAM : RAVINDRA V. GHUGE, J.

DATED : 1st February, 2019.

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PER COURT :

1. I have heard the learned Advocates for the review applicants for quite some time.
2. There is no dispute that after the purchase transaction had occurred on 24/03/1976, these applicants had not approached the Collector for seeking a post sale sanction to validate the transaction when the land was under the Bombay Inferior Watan Abolition Act, 1958. Sale of the land was, therefore, squarely covered by the provisions of the said Act.

3. It is now submitted that these applicants have moved a proposal on 28/11/2018 to the District Collector, Aurangabad praying for considering their claim as regards validation of the said transaction dated 24/03/1976.

4. Considering the above and in view of the law laid down in *Lily Thomas Vs. Union of India, AIR 2000 SC 1650*, a review petition cannot be entertained as if the Writ Petition is being re-argued. Moreover, I do not find any ground made out, by which, it would indicate that the conclusion drawn in paragraph No. 12 of the judgment dated 15/02/2018 could be said to be an error apparent on the face of the order.

5. In these circumstances, the review application stands rejected.

6. Nevertheless, since these applicants have made a representation dated 28/11/2018, the District Collector, Aurangabad is at liberty to consider the same within the framework of the law. It be noted that this Court has not

expressed any opinion in favour of the said representation.

7. The District Collector, Aurangabad would give an opportunity of hearing before passing an order on the said representation, in view of the submission that the District Collector has already issued notices through paper publication and is considering the representation.

(RAVINDRA V. GHUGE, J.)

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