

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

REVIEW APPLICATION (CIVIL) NO.41 OF 2019
IN WP/3215/2000

KALPANA SADASHIV MISAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.Pradeep Deshmukh, Advocate h/f Mr.Anand D. Kawre,
Advocate for the applicant
Smt.M.A.Deshpande, AGP for the respondents/State

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 06.03.2019

P.C. :-

- . Heard learned counsel for the review applicant.
2. Two grounds which are basic grounds raised in this application seeking review of the order of this Court dated 12.06.2018. First ground is; the petitioner could not lay his hands as the text of relevant rules and provisions was not available with the petitioner. Second ground raised in the petition which are ground Nos.5 and 6.
3. Considering very limited scope of the review, wherein the review application would be entertained namely the error apparent on the face of record and or

mis-representation of facts or the party could not produce the relevant material for the reasons which were beyond control of the party. None of such grounds are coming forth so as to entertain the application. First ground of non-availability of text of the provision and rules cannot be said to be a ground so as to permit this Court to entertain review application and this may at the most negligence of the party for which the party should blame itself. Second ground i.e. ground Nos.5 and 6 are in nature of re-appreciation of merit of our order which is again not possible in review application. If the petitioner is having any grievance insofar as merit of the order passed by this Court is concerned then the petitioner can avail other remedies but certainly other remedies challenging the order of this Court before the Higher Forum but certainly review application /petition cannot be a remedy for re-assessment of merit of the order. On this ground we are not inclined to entertain the review application/petition. Thus, the application being merit-less deserves to be dismissed and the same is dismissed.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]