

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

**REVIEW APPLICATION NO. 214 OF 2019
IN
WRIT PETITION NO. 11015 OF 2019**

Shifa Anjum Shaikh Haji

... Applicant

Versus

The State of Maharashtra and others

... Respondents

Mr.S.B. Bhosale, Advocate h/f Mr V.V. Ingale, Advocate for the applicant
Mr.V. M. Kagne, A.G.P. for the respondents-State.
Mr.S.G. Karlekar, Advocate for respondent No.2.

**CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.**

DATE : 13th December, 2019

ORDER:

1. Mr. Bhosale, learned counsel for the applicant /petitioner submits that this Court had dismissed the writ petition on the premise that the petitioner could have applied for improvement, but she did not apply. According to the learned counsel, the last date for filling in Online application for February/March, 2019 examination was 06.11.2018, whereas, the notification making amendment to Regulation of 1983 was issued on 14th December, 2018. The petitioner did not have occasion to apply for improvement. This aspect has not been considered by the Court while passing the order under review.

2. We have considered the submissions.

3. In fact, the petitioner had an opportunity to apply for

improvement on her own volition for the examination to be held in July, 2018 but the petitioner did not choose to.

4. Amendment to Regulation of 1983 was incorporated on 14.12.2018. The said amendment was not the subject matter of challenge in the writ petition. *Dehors* the challenge to the amendment, case of the petitioner could not have been considered. Even for reading down a particular provision, challenge to the provision is necessary.

5. Considering the above, no case is made out for review. Review application is dismissed. No costs.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC