

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

CIVIL APPLICATION NO.6 OF 2019
IN/WITH RAST/32186/2018 IN WP/6347/2017

KHANDESH BAHUUDSHIYA VIDYA PRASARAK MANDAL THROUGH
ITS SECRETARY
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.D.S.Bagul, Advocate for the applicant
Mr.A.R.Kale, AGP for the respondent/State
Mr.R.R.Mane, Advocate for respondent No.7

WITH
CIVIL APPLICATION NO.7 OF 2019
IN/WITH RAST/32182/2018 IN WP/6843/2017

KHANDESBAHUUDSHIYA VIDYA PRASARAK MANDAL JAGAON
THROUGH ITS SECRETARY
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.D.S.Bagul, Advocate for the applicant
Mr.S.S.Dande, AGP for the respondent/State
Mr.R.R.Mane, Advocate for respondent No.7

WITH
CIVIL APPLICATION NO.8 OF 2019
IN/WITH RAST/32188/2018 IN WP/6852/2017

DNYANSHREE MAHILA BAHUUDSHIYA SEVABHAVI SANSTHA
THROUGH ITS SECRETARY
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.D.S.Bagul, Advocate for the applicant

Mrs.R.P.Gaur, AGP for the respondent/State
Mr.R.R.Mane, Advocate for respondent No.7

WITH
CIVIL APPLICATION NO.9 OF 2019
IN/WITH RAST/32184/2018 IN WP/6845/2017

KHANDESH BAHUUDSHIYA VIDYA PRASARAK MANDAL JAGAON
THROUGH ITS SECRETARY
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.D.S.Bagul, Advocate for the applicant
Mr.K.N. Lokhande, AGP for the respondent/State
Mr.R.R.Mane, Advocate for respondent No.7

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**
DATED : 11.01.2019

P.C. :-

1. Heard learned counsel for the applicant.

2. For the reasons stated in the application the delay caused in filing the review petition is condoned. The application is allowed.

3. The review petition is taken up for hearing.

4. Learned counsel for the petitioner vehemently submitted that in the order passed by

this Court a reference is made to the Government Circular dated 30.08.2014 and subsequently there was exchange in the policy. The respondent authority failed to bring to the notice of this Court the subsequent change in policy. The circular was corrected.

5. Now, the this submission leads to re-assessment of the merits of the petition. Considering the detailed order passed by us dated 03.08.2018 which is not only referring to the Government Circulars but apart from the Government Circulars there are various reasons which prompted us not to entertain the petition and these reasons are elaborately discussed in the order.

6. It is now the settled position that the scope of review petition is limited one and any ground seeking the review on re-assessment of the merits of the petition or re-hearing of the petition on certain new grounds being raised would be certainly beyond the limited scope of the review petition. It may not be out of place to mention at this stage that in view of the various judgments the basic ground would be where there is an error

apparent on the face of record. At the cost of repetition we state that the petitioner is seeking review not on the grounds that there is an error apparent on the face of record but only by picking up a reference to one circular and submitting before this Court that there is a change in the policy by the State Government. If that was so, the petitioner was also not prevented to bring on record the change in policy when the petition was extensively heard by this Court.

7. Considering aforesaid fact situation, we are not inclined to entertain the review petition. The review petition is thus merit-less. Accordingly the same is dismissed.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]