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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO.12 OF 2016
IN
WRIT PETITION NO.1900 OF 2009

Balu Siddhu Bhosale since deceased through LRs.

Son Mr. Krishna Balu Sidhu Bhosale

... Petitioner

Vs.

The State of Maharashtra through
the Secretary, Housing Department & Special
Assistance Department and Ors.

... Respondents

Dr. Ramdas P. Sabban for the Petitioner.

Mrs. R.A. Salunkhe, APP for the Respondent Nos.1 to 3.

Mr. M.S. Mulla I/b. Mr. I.M. Khairdi for the Respondent No.6.

Mr. Abhijit B. Desai I/b. Mr. Nitin P. Deshpande for the Respondent Nos.4
and 5.

Ms. Trupti Kolte Patil, Tahsildar, SETU (Addl. Charge).

CORAM : A.S.OKA AND
G.S. PATEL, JJ.

DATE : 11th FEBRUARY 2019.

[In chamber at 2.40 pm]

P.C. :

1 Perused the order dated 28th January 2019. By the said order, this Court has already held that there is no ground for review. However, the review petition was not dismissed and was adjourned till today only to enable the learned counsel appearing for the review petitioner to take instructions whether he wants suitable installments to pay the amount of

costs.

2 In the review petition, the case made out by the petitioner is that he is working as a coolie and he has relied upon a certificate dated 8th January 2016 issued by the Tahsildar, Solapur to that effect. The certificate records that his annual income is only Rs.39,000/-.

3 In terms of the order dated 28th January 2019, the Tahsildar/Special Executive Magistrate, Solapur has submitted a report dated 11th February 2019 addressed to the learned AGP. Report dated 11th February 2019 is taken on record and marked as 'R-1' for identification. The report records that there is no enquiry made by her before issuing the income certificate. The annexure to the report shows that on the day on which income certificate was issued to the petitioner, more than 40 such income certificates were issued by the Tahsildar. Thus, it is apparent that certificate dated 8th January 2016 which was actually issued on 10th January 2016 has been issued without holding any enquiry about the truthfulness of the claim made by the petitioner. Moreover, in the writ petition in which the order sought to be reviewed was passed, the occupation of the review petitioner is mentioned as business. Even in the rejoinder filed in the writ petition on 26th November 2015, the occupation of the petitioner is shown as business. Therefore, the contention that the review petitioner is working as a "coolie" cannot be accepted.

4 Hence, review petition is rejected.

(G.S. PATEL, J.)

(A.S.OKA, J.)