

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**REVIEW PETITION NO.26 OF 2014**  
**IN**  
**SECOND APPEAL NO.530 OF 1999**

|                                 |    |             |
|---------------------------------|----|-------------|
| Namdeo Maruti Kumbhar & Ors.    | .. | Applicants  |
| Vs.                             |    |             |
| Shivaji Nivrutti Kumbhar & Ors. | .. | Respondents |

Mr.P.B. Shah i/by Mr.K.P. Shah for the applicants.  
Mr.V.S. Talkute for the respondents/original appellants.

**CORAM : R.D.DHANUKA, J.**  
**DATE : 9<sup>th</sup> September 2019**

*P.C.:*

By this review petition, the review petitioner (original respondent) seeks recall of the order dated 12<sup>th</sup> August 2014 passed by this Court in Second Appeal No.530 of 1999 thereby allowing the said second appeal and setting aside the order dated 20<sup>th</sup> February 2019 passed by the trial Court in Regular Civil Suit No.27 of 1991 and the order dated 14<sup>th</sup> October 1999 passed by the 4<sup>th</sup> Additional District Judge, Satara in Regular Civil Suit No.123 of 1996.

2. Mr. Shah, learned counsel for the review petitioner invited my attention to grounds (g) and (h) of the review petition and would submit that those two mutation entries referred in those grounds are not considered while allowing the said second appeal filed by the original appellants by this Court.

3. A perusal of those two grounds to which my attention is invited by the learned counsel for the review petitioner clearly indicates that it is not the case of the review petitioner that the review petitioner had brought to the notice of these two mutation entries during the course of arguments and were not considered by this Court while allowing the said second appeal.

4. The review petitioner seeks review of the order passed by this Court by re-appreciating the evidence on merit which cannot be gone into the review petition. No error apparent on the face of the order is pointed out by the learned counsel for the review petitioner. Merely because of change of advocate, no additional grounds which are not raised before this Court while arguing the second appeal can be allowed to be raised. Review petition is accordingly dismissed. There shall be no order as to costs.

***R.D.DHANUKA, J.***