

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Civil Application (CAO) No.1179 of 2019 & M.C.A. Stamp No.9250/2019
(Review) in Writ Petition No.470/2018(D) (Union of India Vs. Dipak Agrawal)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Vinod Joshi with Mr. S.A. Chaudhari, Advocate for applicant

CORAM : MANISH PITALE, J.

DATED : NOVEMBER 22, 2019

These are the applications for condonation of delay in filing review application and the review application itself seeking review of order dated 11th March, 2019, passed by this Court.

2. The aforesaid order passed by this Court was in writ jurisdiction and the review of the same is sought on behalf of the petitioner. Considering Articles 226 and 227 of the Constitution of India, wherein limitation period is not prescribed for moving application of this nature, it is held that the application for condonation of delay was not required to be filed and, therefore, it is to be disposed of as such.

M.C.A. Stamp No.9250/2019 (Review)

The main grievance raised in the revision application is that order dated 11th March, 2019, is being used as a precedent by some parties and that, therefore, it is necessary that this Court reviews its

order dated 11th March, 2019.

2. But, a perusal of order dated 11th March 2019, shows that only the fact that information sought by the respondent was already supplied to another person was recorded and further it was held that in these peculiar circumstances, the petitioner could not further pursue the writ petition. The writ petition stood disposed of by recording such facts and with direction that the information would be supplied to the respondent No.1 in the writ petition.

3. Only because the said order is sought to be used by some other parties as a precedent cannot be a ground for seeking review because this Court did not express any opinion on the merits of the contentions of the rival parties.

4. Therefore, this Court is of the opinion that the review application cannot be entertained. At the same time, it is made clear that since this Court has made no observations on the merits of the rival contentions in order dated 11th March 2019, it cannot be used as a precedent in any case.

5. Revision application is dismissed with above observations.

JUDGE