

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

C.A.O. No.842 of 2018 in M.C.A. St. No.10120 of 2018 in
Writ Petition No.5223 of 2004 (D)

(Mah. State Mining Corporation Ltd., Nagpur .vs. Pranabesh Chandra Chakraborty, Nagpur and another)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr.Prashant Dahat, Advocate h/f. Mr.R.M.Sharma,
Advocate for the applicant.
Mr.P.C.Marpakwar, Advocate for respondent nos.1(a) to
1(c).
Mr.A.D.Sonak, A.G.P. for respondent no.2.

CORAM : P. N. DESHMUKH &
MRS.SWAPNA JOSHI, JJ.

DATE : 15.2.2019.

Heard Mr.Prashant Dahat, learned Counsel holding for Mr.R.M.Sharma, learned Counsel for the applicant, Mr.P.C.Marpakwar, learned Counsel for respondent nos. 1(a) to 1(c) and Mr.A.D.Sonak, learned Assistant Government Pleader for respondent no.2.

This is an application for condonation of 103 day's delay caused in filing present review application being Misc. Civil Application St. No.10120 of 2018 against the Judgment dt.15.12.2017 of this Court. For the reasons mentioned in the application, delay is condoned. The application is allowed.

M.C.A. St. No.10120 of 2018

Heard.

Learned Counsel for Original respondent no.2/applicant had contended that communication dt.6.1.2001, which is forming part of record as Annexure-B, was not considered when Judgment dt.15.12.2017 was passed by this Court in Writ Petition No.5223 of 2004, out of which present review application arises. To a specific query by the Court, learned Counsel for Original respondent no.1/applicant submits that admittedly said communication was not on record when Judgment is passed on 15.12.2017. In view of admitted facts as aforesaid, without going into merits of the petition, we do not find any substance in the review application inasmuch as no orders can said to be passed without considering the documents on record. Even otherwise, the Special Leave Petition preferred against the Judgment is admittedly dismissed on 26.3.2018. In that view of the matter, even on merits there is no substance in the review application. Same, is therefore, disposed of as dismissed.

JUDGE

JUDGE

**jaiswal*