

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

MISC. CIVIL APPLICATION (Review) NO.113/2019 IN
WRIT PETITION NO.7761 of 2017 (D)

Sunil B.Mendhe

Vs.

Dhanraj Narayan Sathawane and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S. P Bhandarkar, Advocate for applicant.

CORAM :- A.S.CHANDURKAR, J.

DATED :- DECEMBER 10, 2021.

Heard Shri S. P. Bhandarkar, learned counsel for the applicant and perused the grounds of review.

It is sought to be urged by relying upon the following decisions that the period of limitation prescribed for preferring the election petition could not have been extended by permitting the same to have been filed on the eleventh day :

- 1.Atharoddin s/o Majroddin Kazi Vs. Rajendra s/o Ramchandra Indrale and ors. 2008 SCC online Bom 621.
2. Rajesh Kawduji Nandurkar and ors. vs. Poonam Vilas Katekhaye and anr. (2018) 6 Mh.L.J.181.
3. Suman Devi vs. Manisha Devi and ors. (2018) 8 SCC 808.
- 4.Ved Prakash vs. Sunil Kumar Jha & Ors. 2016 SCC online Del 824.
- 5.Lachman Das Arora Vs. Ganeshi Lal and ors. (1999) 8 SCC 532.
6. Laxmibai Vijayrao Darpel vs. Returning Officer, Kopargaon Nagar Palika and ors. (1999) 1 Mh.L.J. 486.

Admittedly it has been found that the period of ten days of limitation expired on 21.01.2017 which was a Sunday. The election petition was therefore filed on the next working day. I find that the

grounds raised in the review application are covered by the decision in *Laxmibai vijayrao Darpel vs. Returning Officer 1991(1) Mh.L.J. 486*. Hence there is no error apparent on the face of the record to invoke review jurisdiction.

The miscellaneous civil application is therefore rejected.

(A.S.CHANDURKAR, J.)

Andurkar..