

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

**930 CIVIL APPLICATION NO.2737 OF 2022
IN RAST/17313/2021**

THE ZILLA PARISHAD BEED THR ITS AUTHORISED OFFICER
CHANDRASHEKHAR PRALHADRAO KSHIRSAGAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
**931 CIVIL APPLICATION NO.12299 OF 2022
IN RAST/17295/2021 WITH CA/12300/2022 IN RAST/17295/2021**

THE CHIEF EXECUTIVE OFFICER THE ZILLA PARISHAD BEED
THROUGH ITS AUTHORISED OFFICER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
**932 REVIEW APPLICATION (CIVIL) NO.91 OF 2022
IN WP/2428/2021 WITH CA/4216/2022 IN RA/91/2022 WITH
CA/4215/2022 IN RA/91/2022**

THE ZILLA PARISHAD BEED THR ITS AUTHORIZED OFFICER
CHANDRASHEKHAR PRALHADRAO KSHIRSAGAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
**933 REVIEW APPLICATION (CIVIL) NO.252 OF 2022
IN WP/6594/2020 WITH CA/12963/2022 IN RA/252/2022 WITH CA/
12964/2022 IN RA/252/2022**

THE ZILLA PARISHAD BEED THR ITS AUTHORISED OFFICER
CHANDRASHEKHAR PRALHADRAO KSHIRSAGAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
**934 REVIEW APPLICATION (CIVIL) NO.312 OF 2022
IN WP/4741/2021 WITH CA/16034/2022 IN RA/312/2022 WITH CA/
16035/2022 IN RA/312/2022**

THE ZILLA PARISHAD BEED THROUGH ITS AUTHORIZED OFFICER
MANOJ MUKUNDRAO KIMBAHUNE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS
WITH
935 REVIEW APPLICATION (CIVIL) NO.313 OF 2022
IN WP/6682/2020 WITH CA/16038/2022 IN RA/313/2022 WITH CA/
16037/2022 IN RA/313/2022

THE ZILLA PARISHAD BEED THR ITS AUTHORIZED OFFICER
CHANDRASHEKHAR PRALHADRAO KSHIRSAGAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
936 REVIEW APPLICATION (CIVIL) NO.314 OF 2022
IN WP/7945/2020 WITH CA/16039/2022 IN RA/314/2022 WITH CA/
16040/2022 IN RA/314/2022

THE ZILLA PARISHAD BEED THROUGH IT'S AUTHORIZED OFFICER
CHANDRASHEKHAR PRALHADRAO KSHIRSAGAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
937 REVIEW APPLICATION (CIVIL) NO.315 OF 2022
IN WP/5810/2021 WITH CA/16042/2022 IN RA/315/2022 WITH CA/
16041/2022 IN RA/315/2022

THE ZILLA PARISHAD BEED THROUGH ITS AUTHORIZED OFFICER
MANOJ MUKUNDRAO KIMBAHUNE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.PD.Suryawanshi, Advocate for the applicants.
Mr.S.G.Sangle, S.K.Tambe, S.G.Karlekar, AGPs' for State.
Mr.D.R.Irale Patil, Advocate for the petitioner in writ petition.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : DECEMBER 01, 2022

PER COURT :

1. Heard the learned Advocates for the respective sides on the civil applications seeking condonation of delay. The delay is neither deliberate nor inordinate. Laches are not attributed to the conduct of the applicants. Considering the law laid down by the Hon'ble Supreme Court in **Collector, Land Acquisition Anantnag and another Vs. Mst. Katiji and others [(1987) 2 SCC 107]** and in **Esha Bhattacharjee Vs. Managing Committee of Raghunathpur Nafar Academy and others [(2013)12 SCC 649]**, the civil applications are allowed. Delay is condoned. Review applications stand registered.

2. By the consent of the parties, the review applications are taken up for hearing. Both the learned Advocates have vehemently canvassed for and against the review applications. We have perused the Law laid down by the Hon'ble Supreme Court in **S.Madhusudhan Reddy Vs. V.Narayana Reddy and others [2022 LiveLaw (SC) 685]**. The conclusions of the Hon'ble Supreme Court as to the manner in which review applications should be dealt with are as under :-

"26. As can be seen from the above exposition of law, it has been consistently held by this Court in several judicial pronouncements that the Court's jurisdiction of review, is not the same as that of an appeal. A judgment can be open to review if there is a mistake or an error apparent on the face of the record, but an error that has to be detected by a process of reasoning, cannot be described as an error apparent on the face of the record for the Court to exercise its powers of review under Order XLVII Rule 1 CPC. In the guise of exercising powers of review, the Court can correct a mistake but not substitute the view taken earlier merely because there is a possibility of taking two views in a matter. A judgment may also be open to review when any new or important matter of evidence has emerged after passing of the judgment, subject to the condition that such evidence was not within the knowledge of the party seeking review or could not be produced by it when the order was made despite undertaking an exercise of due diligence. There is a clear distinction between an erroneous decision as against an error apparent on the face of the record. An erroneous decision can be corrected by the Superior Court, however an error apparent on the face of the record can only be corrected by exercising review jurisdiction. Yet another circumstance referred to in Order XLVII Rule 1 for reviewing a judgment has been described as "for any other sufficient reason". The said phrase has been explained to mean "a reason sufficient on grounds, at least analogous to those specified in the rule" (Refer: [Chajju Ram v. Neki Ram](#)¹⁷ and [Moran Mar Basselios Catholicos and Anr. v. Most Rev. Mar Poulose Athanasius and Others](#)¹⁸).

3. The learned Advocate for the original petitioners tenders a copy of the judgment dated 30.08.2022 delivered by a Co-ordinate Bench in Review Application No.170/2022 in WP No.13760/2019 and connected matters. This Court has concluded on merits that the grounds set out in the review petition do not deserve consideration. These review petitions are identical.

4. In view of the above and considering the conclusions drawn in the judgment dated 30.08.2022, these review petitions stand rejected.

5. Pending civil applications praying for interim relief, do not survive and stand disposed off.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)