

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

**REVIEW APPLICATION (MCA) NO.287 OF 2022**

Haribhau S/o Baliram Shende .Vs. Dr. Pramod Wasudeorao Rakshamwar

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

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Court's or Judge's Order

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Shri S.L. Kotwal, Advocate for the applicant.

Shri Mohan Sudame, Adv. a/w Ibrahim Fidvi, Adv. for the non-applicant.

**CORAM : ANIL S. KILOR, J.**

**DATED : 28/09/2022**

1. Heard Shri S.L. Kotwal, learned counsel for the applicant and Shri Mohan Sudame, learned counsel for the non-applicant.

2. By the present application, the applicant is seeking review of the judgment dated 29.09.2020 on the sole ground that, though the point relating to “possessory title” was argued first time in second appeal, and not raised in the suit or before the learned first appellate Court, it is permissible to be raised at the stage of second appeal. Accordingly, he prays for review of the judgment dated 29.09.2020.

3. In the matter of review the jurisdiction is very limited and unless it is pointed out that, the Court has committed any error apparent on the face of record, review is impermissible.

4. After going through the judgment dated 29.09.2020, I do not find any error committed by this Court in coming to the conclusion that the appeal needs to be dismissed on one of the grounds that the point raised in respect of “possessory title” was not argued and raised before the trial Court or the first appellate Court. Thus, in absence of any merit in the present review application, I pass the following order:

The criminal application is **rejected**.

**JUDGE**