

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

M.C.A. (REVIEW) NO. 652 OF 2021
IN
WRIT PETITION NO. 2413 OF 2017 (D)

Sheshrao @ Shekhar S/o. Pusaramji
Surjuse

-- Petitioner

Vs.

State of Maharashtra and others

-- Respondents

. . .

Shri Sheshrao Surjuse, Petitioner-in-person.
Mrs. S. S. Jachak, AGP for the respondent nos. 1 to 3.

. . .

**CORAM : DIPANKAR DATTA, CJ &
AMIT B. BORKAR, J.**

DATE : 20th April 2022

P. C. :

1. M.C.A. (REVIEW) NO. 652 OF 2021 is an application for review of the judgment and order dated 5th February, 2021 passed by a coordinate bench of this Court (presided over by the Chief Justice), whereby Writ Petition No. 2413/2017 of the review petitioner was dismissed. By the judgment under review, the claim of the writ petitioner for pension under the Maharashtra Civil Services (Pension) Rules, 1982 was not accepted. It was, however, observed therein that if the writ petitioner is entitled to any other benefit which remains

unpaid, he shall be at liberty to claim the same in accordance with law.

2. We have heard Shri Sheshrao Surjuse, the review petitioner appearing in-person and also perused the grounds on which review is sought. According to him, the coordinate Bench committed error of law in dismissing the writ petition. Such grounds could be good grounds of appeal, not a review. In our considered opinion, there is no specific ground demonstrating that the judgment under review suffers from an error apparent on the face of the record or that the review petitioner has discovered new material which, if placed before the coordinate Bench, the outcome of the writ petition could have been different. Shri Sheshrao Surjuse seeks to re-argue the writ petition in the guise of a review petition, which would have the result of rehearing of the writ petition by us. This course of action is impermissible in law.

3. We, therefore, see no reason for review of the impugned judgment and order dated 5th February, 2021; hence, the review petition is dismissed. No costs.

(AMIT B. BORKAR, J.)

(CHIEF JUSTICE)

RR Jaiswal