

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

MISC. CIVIL APPLICATION (MCA) NO. 575/2022
in
WRIT PETITION NO. 1429/2021 (D)

KU. PRABHA TUKARAM NAUKARKAR

..VS..

SWAMI VIVEKANAND SHIKSHAN SANSTHA, NAGPUR AND OTHERS

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

Court's or Judge's Order

Mr. Sk. Sibghatullah Jagirdar, Advocate for the applicant
Smt. H.N. Jaipurkar, AGP for the non-applicant nos. 1 and 3

CORAM : AMIT B. BORKAR, J.

DATED : 21/09/2022

This is an application for review.

2. The learned Advocate for the applicant submitted that the contention raised in paragraph no. 8 of the application forms part of the reasons. According to him, the management had not opposed applications for condonation of delay before the School Tribunal and even before this Court.

3. In my opinion, the parameters of review have already been crystalized by the Apex Court in the cases of *Meera Bhanja vs Nirmala Kumari Choudhury [AIR 1995 SC 455]* and *Haridas Das Vs. Smt. Usha Rani Banik & Ors. [2006 (4) SCC 78]*. The Apex Court had taken view that “error apparent on the face of record” is such an error which strikes the judicial mind just looking at records and

does not require any long drawn process of reasoning. The subject of the order of which review is sought is rejection of an application to condone the delay of 1579 days. In the said order, it is held that reasons mentioned in the application that the petitioner had made a representation with the Management and, therefore, she could not file an appeal was held not to be sufficient cause within the meaning of Section 5 of the Limitation Act. 1963.

4. In that view of the matter, the error as alleged by the petitioner does not fall within the parameters of the review as laid down by the Apex Court in the aforesaid two judgments.

5. In that view of the matter, the civil application is rejected.

JUDGE

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