

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO.3291 OF 2020
IN RAST/5608/2020
WITH
REVIEW APPLICATION (STAMP) NO.5608 OF 2020
IN
WRIT PETITION NO.12540 OF 2019

HIRALAL LAXMAN KILLEDAR THROUGH LRS
JAMNABAI HIRALAL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Applicant : Shri Bhise Sachin S.
AGP for Respondent 1/State : Shri V.M. Kagne
Advocate for Respondent 3 : Shri U.S. Mote
Advocate for Respondents 4 to 8 : Shri M.L. Kolhe

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CORAM : RAVINDRA V. GHUGE, J.

DATE :- 19th October, 2023

Per Court :-

1. By consent, delay is condoned. **The Civil Application is disposed off.**
2. By consent, the Review Application is heard.
3. The Petitioners have taken the ground that the order below Exhibit-148 dated 16.11.2017 passed in Regular Civil Suit No.431/2012, has been challenged in the Writ Petition, whereas, the Petitioners actually desired to challenge the order below

Exhibit-151. This cannot be a ground for review since the order below Exhibit-151 has not been assailed before any Court.

4. Insofar as the order below Exhibit-148 which was assailed in the Writ Petition, the Writ Petition was disposed off observing that the Trial Court had permitted the Petitioners to produce certified copies of the relevant documents available in the record of the TILR and that would be considered in evidence. Since an equitable order was passed, thereby eliminating the requirement of asking the TILR to step into the witness box, the Writ Petition was disposed off.

5. In view of the above, the Review Application does not make out any such ground which would indicate an error apparent on the face of the record or the order. As such, **the Review Application is rejected.**

kps

(RAVINDRA V. GHUGE, J.)