



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT NAGPUR, NAGPUR.

...

MISCELLANEOUS CIVIL APPLICATION NO. 611/2023

in

C.R.A. NO. 94/2017 (D)

Sudhakar s/o Uttamrao Thakre

.. Applicant/s

versus

State of Maharashtra and others

.. Respondent/s

.....
Mr. S.G.Malode, Adv. for the applicant/s

Mr. N.R. Patil, AGP for Respondents 1 & 5
.....

CORAM: ANIL L. PANSARE, J.

DATED : 23rd August, 2023.

PC:

Heard.

2. The applicant who is the original plaintiff and who was non-applicant no.1 in Civil Revision Application No.94/2017, has preferred the present Review Application u/s 114 of the Civil Procedure Code, 1908. The grievance of the applicant is that he was unaware of pendency of the writ petition.

3. The learned AGP has pointed out from B-file that the notice of CRA has been served upon the son of the applicant on 31.08.2018 along with copy of the petition. The learned counsel for the applicant does not dispute such status, but submitted that the copy was not served upon the applicant, but upon his son.

4. Considering the fact that the notice was served upon the son

of the applicant, it can be safely said that the service was good one. Hence, the grievance of the applicant that he was unaware of the pendency of the Revision Application, does not carry any substance.

5. Another limb of argument is that this Court has not considered the material placed on record. The applicant, however, failed to point out the material that was shown to the Court but has not been considered. In other words, whatever material was brought to the notice of the Court by the learned AGP, has been considered and order has been passed accordingly. Despite this, if the applicant is aggrieved by the findings of the Court, the appropriate remedy is to challenge the order. The applicant failed to show any error apparent on the face of the record or of existence of sufficient cause to review the order. The MCA is accordingly rejected.

[ANIL L. PANSARE, J.]