



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

MISC. CIVIL APPLICATION (MCA) NO.250/2023
IN
WRIT PETITION NO.516/2020 (D)

Rahul s/o Raviram Paunikar and another
...Versus...
Union of India, through its General Manager, S.E.C. Railway, Bilaspur
(C.G.), 495004 and another

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

Court's or Judge's orders

Mr. I.A. Fidvi, Advocate for applicants

CORAM : AVINASH G. GHAROTE AND
ANIL L. PANSARE, JJ.

DATE : 06/10/2023

1. The application seeks review of the order dated 28/04/2022 on the ground that the objection, which was raised by the wife of the review applicant no.2, has been withdrawn by her.

2. Even if this plea is accepted, we do not find that there is any ground for review, which is also for the reason that since there was a dispute regarding the adoption of the petitioner merely because the objection has been withdrawn, that does not make the adoption legal, which can only be so termed upon a declaration being granted by the Court of competent jurisdiction. That apart, the review applicant no.2

has taken voluntary retirement on 28/12/2010. More than 10 years have passed since then and therefore, considering the object and purpose of compassionate appointment, as indicated in *The State of West Bengal Vs. Debabrata Tiwari and others AIR 2023 SC 1467* and *Nilima Raju Khapekar Vs. The Executive Director, Bank of Baroda and others, 2022 (3) Mh.L.J. 441*, nothing survives in this review petition. The review application is, therefore, dismissed. No order as to costs.

(ANIL. L. PANSARE, J.)

(AVINASH G. GHAROTE, J.)

Wadkar