



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4147 OF 2024
IN RA/8/2022

Microvision Technologies Through Its Proprietor
Shri. Atul Nemichand DhadiwalApplicant

VERSUS

Dhule Municipal Corporation Through
Its Commissioner And AnotherRespondents

.....
Mr. Prashant Chavan and Mr. Ravindra Chile h/f. Mr. V.S. Shelke,
Advocates for applicant
Mr. A.S. Sawant, Advocate for respondent No. 1
Mr. A.R. Kale, APP for respondent No. 2
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 23rd APRIL, 2024

ORDER :

1. Leave to correct the prayer clause. Correction to be carried out forthwith.
2. This application filed under Article 132 r/w Article 134(A) of the Constitution of India r/w Chapter XXIX-A of the Bombay High Court Appellate Side Rules, seeks leave to appeal or certificate to appeal to the Hon'ble Supreme Court of India.
3. Applicant is original respondent in Writ Petition No. 10764/2015 filed by respondent No. 1 challenging legality,

Bhagyawant Punde

validity and propriety of the judgment and award dated 13.02.2015 passed by the Micro and Small Enterprise Facilitation Council in Petition No. 8/2011. This Court (Coram: V.K. Jadhav, J.) allowed the writ petition by judgment dated 18.08.2021.

4. Applicant filed Review Application No. 8/2022 seeking review of judgment dated 18.08.2021. The review application was dismissed by this Court by order dated 14.11.2022. This application, which runs into 105 pages is filed on 19.12.2022. For the first time, application is circulated on 16.04.2024 and today's circulation was granted.

5. Learned advocate for applicant submits that applicant has good grounds to challenge the orders passed in writ petition and review and applicant hopes to succeed in the Apex Court. Hence, application deserves to be allowed by granting leave to applicant.

6. Learned advocate for respondent No. 1 opposed the application contending that only with a view to come out of limitation the application is circulated after a period of more than one and half year. He submits that there is no merit in the application and same is liable to be rejected.

7. Heard learned advocate for applicant, learned advocate for respondent No. 1 and learned APP for State. Perused the record.

8. Applicant is seeking leave to file appeal or certificate of fitness to appeal to challenge the order passed in review petition. This Court has found that grounds raised by applicant in the review petition were not sufficient enough to exercise review jurisdiction. This Court is of the view that from such order no substantial question of law arises which needs to be decided by the Hon'ble Supreme Court of India.

9. Apart from above, there is merit in the submission of learned advocate for respondent No. 1 that only with a view to buy time, present application, though was filed in the year 2022 is circulated by applicant only in the year 2024. Hence, no merit is found in the application and same is therefore dismissed.

[NITIN B. SURYAWANSHI, J.]