

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**REVIEW PETITION NO. 24 OF 2024
IN
WRIT PETITION NO. 6010 OF 2002
WITH
INTERIM APPLICATION NO. 1992 OF 2024
IN
REVIEW PETITION NO. 24 OF 2024**

Mahesh Nathuram Pilankar	...Petitioner
Versus	
Ramakant Narayan Pilankar	...Respondent

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Mr Rakesh Bhatkar, i/b Mohit Dalvi, Advocate for the Review Petitioner.

Mr R. S. Pawar, A.G.P. for the Respondent – State.

Mr Sachindra Shetye with Dhanashri Mondkar, for Respondent No1.

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CORAM	:	AVINASH G. GHAROTE, J.
DATE	:	10th JUNE 2024

P.C.:

1. Heard.
2. The application seeks the review of the order dated 22.12.2004 passed by this Court in Writ Petition No. 6010 of 2002 disposing of the Petition by recording the Consent Terms

arrived at between the parties thereto. The Consent Terms indicate that the dispute regarding the land which was the subject matter thereto, has been resolved by the Petitioner therein being permitted to retain 0.67 R and Respondent No. 2 being permitted to retain 0.40 R of land.

3. It is contended by the learned Counsel for the Petitioner that though the Petitioner was in possession of the land in question and had filed an application to the concerned Collector for the allotment of the same, the right accrued to him on account of the said application has been bypassed by the Consent terms.

4. In my considered opinion mere filing of an application, for allotment of land would not given any right to the Petitioner.

5. I have inquired from the learned Counsel for the Petitioner as to whether there is any document indicating the Petitioner to be in possession of the land in question at any point of time, in response to which he points out the documents at pages 32 to 38 of the Petition, however the documents at pages 32 to 38 do not indicate any such

position. That apart it is an admitted position that order dated 22.12.2004 by which the Petition was disposed of in light of the Consent Terms was challenged before the Apex Court in SLP No. 34200 of 2012, which came to be dismissed on 6.2.2015.

6. It is therefore, apparent that no legal right accrues to the Petitioner in respect of the land in question nor any position has been demonstrated on record to my satisfaction, on account of which even if the Petitioner was not a party to Writ Petition No. 6010 of 2002 the same would not constitute any ground for review of the order passed therein.

7. I therefore see no ground for review. The application is dismissed.

(AVINASH G. GHAROTE, J.)