

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO.86 OF 2022****IN****REVIEW PETITION NO. 1 OF 2022**

Prabhavati Shankarrao Zadbuke & Anr.Applicants.

Vs.

Shri. Hansraj Hanumandas ZanwarRespondents.

Mr. Girish Godbole, Senior Advocate i/by Adv. Vishwajeet V. Mohite & Adv. Ketan V. Joshi for the Applicants.

Mr. Ashutosh Kulkarni a/w Mr. Akshay Kulkarni for the Respondent-Original Petitioner.

Mr. P.P. Kakade, GP a/w Mr. O.A.Chandurkar, AGP a/w Mr. M.M. Pabale, AGP for the Respondent-State.

**CORAM : A. S. GADKARI AND
BHARATI DANGRE, JJ.**

DATE : 18th JANUARY, 2024.

P.C.:-

1) This is an Application for seeking relief to file Review Petition by the Applicants who were not party in the Writ Petition No.798 of 2020.

2) Mr. Godbole, learned counsel for the Applicants submitted that, even a third party to the proceedings, if he considers himself an aggrieved person, may take recourse to the remedy of Review Petition and the quintessence is that the person should be aggrieved by the Judgment and Order passed by the Court in some respect. In support of his contention, he

relied on the decision in the case of *Union of India Vs. Nareshkumar Badrikumar Jagad & Ors. reported in (2019) 18 SCC 586*.

3) Mr. Kulkarni, learned counsel for the original Petitioner opposed the Application and submitted that, no rights of whatsoever nature of the Applicants herein have been affected by the Order under review and therefore the Application may not be entertained.

4) However, after perusing the Application, taking into consideration the overall view of the matter and applying the principles of law enunciated by the Supreme Court in the case of *Union of India Vs. Nareshkumar Badrikumar Jagad & Ors. (Supra)*, we are inclined to allow the Application.

5) Application is accordingly allowed in terms of prayer clause (a).

(SMT. BHARATI DANGRE, J.)

(A.S. GADKARI, J.)

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