



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

CIVIL APPLICATION (CAO) NO.562/2024
IN
MISC. CIVIL APPLICATION (REVIEW) ST. NO.5935/2024
IN
WRIT PETITION NO.5817/2019 (D)

Dattatray Vasant Rao Keshawar and others
...Versus...

Sub Divisional Officer and Competent Authority of Land Acquisition, Yavatmal,
District Yavatmal and others

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

Court's or Judge's orders

Mr. I.M. Ghongade, Advocate for applicants
Ms D.V. Sapkal, AGP for respondent no.1

CORAM : AVINASH G. GHAROTE, J.
DATE : 03/05/2024

1. Heard.
2. For the reasons stated in the application, the delay in filing the application for review is condoned. The civil application is allowed and disposed of accordingly. No order as to costs.

MISC. CIVIL APPLICATION (REVIEW) ST. NO.5935/2024
IN
WRIT PETITION NO.5817/2019 (D)

1. Mr. Ghongade, learned counsel for the applicants seeks review of the judgment dated 02/02/2024 passed in Writ Petition No.5702/2019 and connected matters on the ground

that the applicants were not parties to the petitions, and have rights accrued to them, which are required to be considered on the ground of concealment of material facts.

2. In case the applicants have an independent right, it is open for them to take appropriate steps, to ensure their protection. This, however, cannot be a ground for review of the judgment dated 02/02/2024 passed in Writ Petition No.5702/2019 and connected matters, as a plea of fraud, which was never the subject matter of the petitions, cannot be entertained, for the purposes of holding that a review would be maintainable.

3. I, therefore, do not see any reason to entertain the application for review. The Misc. Civil Application is dismissed. No order as to costs.

(AVINASH G. GHAROTE, J.)