

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 152 OF 2024.

IN

WRIT PETITION NO. 8877 OF 2021.

Shree Bal Properties And Finance Pvt. Ltd. Thr Its ...Petitioner.
Directors

Versus

State Of Maharashtra Thr The Office Of Govt. ...Respondents.
Pleader And Ors

*Dr. Veerendra Tulzapurkar Senior Advocate a/w Mr. Siddhesh Bhole, Mr. Ashwin Pimpale i/by SSB Legal & Advisory for the Petitioner.
Ms. T. J. Kapre AGP for the State.*

Coram : Sharmila U. Deshmukh, J.

Date : March 4, 2025.

P. C. :

1. The Review Petition seeks review of the judgment and order dated 30th August, 2024 passed by this Court in Writ Petition No 8877 of 2021.
2. The Writ Petition challenged the order dated 15th November, 2021 passed by Additional Divisional Commissioner upholding the order of Collector dated 27th May, 2019 as regards short receipt of unearned income. By the judgment under review, the Petition came to be dismissed.
3. Dr. Tuljapurkar would urge that as the sale permission was granted by the Divisional Commissioner, the Respondent No 2

Collector would lack the jurisdiction to re-open the sale permission. He would fairly submit that there were no submissions canvassed on lack of jurisdiction during the original hearing of the Writ Petition.

4. I have considered the submissions and perused the record.

5. By a detailed order of 30th August, 2024, this Court has dealt with all submissions which were raised during the initial hearing. The judgment under review does not disclose any error apparent on face of record. In review jurisdiction, fresh argument of lack of jurisdiction is being pressed, which was not advanced earlier. Order XLVII Rule 1 of CPC does not permit review jurisdiction to be exercised for considering arguments not advanced earlier as the same would amount to re-hearing of the Writ Petition afresh.

6. I therefore do not find any ground made out for Review of the judgment and order dated 30th August, 2024. Resultantly, Review Petition stands dismissed.

[Sharmila U. Deshmukh, J.]