

Ashwini

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
REVIEW PETITION NO.50 OF 2024
IN
WRIT PETITION NO.1598 OF 2021

Anant Laxman Murudkar ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Avinash D. Kango, for the Petitioner.
Mr. Himanshu Takke, AGP, for the Respondent-State.
Adv. Aparna Kalathil, with Adv. Anjali Maskar, i/by Adv. P.G.
Lad for Respondent Nos.2 and 3-MHADA.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 31st July 2025

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1. Heard learned Counsel for the parties.
2. This Petition seeks a review of our order dated 19th July, 2024. It was made after giving a full-length hearing to all the parties, including the learned counsel for the Review Petition. Even the order dated 19th July 2024 was dictated in the open Court in the presence of the learned counsel for the parties.

3. The Petitioner has raised only two grievances, as referred to in paragraph 2 of the order. We held that the first grievance was hopelessly barred by delay and laches. This is because the Petitioner's grievance before the High-Power Committee ("HPC") on this very issue was rejected on 29th July 2004, and the Petitioner instituted this Petition on 28th January 2010. The HPC decision was not even challenged in the Petition.

4. Mr. Kango now states that an explanation was offered for the delay. The explanation is that the Petitioner made some representations. This is hardly an explanation that deserves acceptance. Furthermore, it cannot be an answer to why the HPC decision was not challenged.

5. Mr. Kango, this time, referred to a document dated 22nd September 2014 and the list of allottees referred to in it. He made particular emphasis on the entry at Sr. No.20 concerning Smt. Minal Sanjay Bhingai. Based on the same, Mr. Kango contended that this party was allotted an additional area based on some forged documents. He then contends that the Petitioner, who had submitted genuine documents, should

have been allotted this additional area based on GR, which was a subject matter of this Petition.

6. We distinctly recollect that no such contention was raised before us earlier. In any event, based upon this contention, there is no question of granting any additional area to the Petitioner. There are neither any pleadings nor any material to suggest how the case of Smt. Minal Bhingai and the Petitioner in any manner comparable. In any event, if some additional area has been allotted to Smt. Minal Bhingai illegally or based on forged documents, then, there is no question of claiming any equality of illegalities. Independently, the Petitioner had to make out a case for entitlement to additional area. This, the Petitioner has failed.

7. The prayer clauses of this Review Petition expressly indicate that the Petitioner requires a rehearing of the matter on the merits. As noted earlier, the learned counsel for the Petitioner, Mr Kanago, was given a full-length hearing on merits. Even the order of which review was sought was dictated in open Court in the presence of the counsel. A Review Petition is neither an Appeal in disguise nor a device

to secure a re-hearing of the matter. No error, much less any error apparent on the face of the record, is disclosed.

8. Accordingly, there is no merit in this Review Petition and therefore, we dismiss the same without any order for costs.

(Kamal Khata, J)

(M. S. Sonak, J)