

VRJ

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION NO.9 OF 2025
IN
WRIT PETITION NO.3038 OF 2023

Madhav V. Chhatre	... Petitioner
V/s.	
The Chairman & Managing Director	
Bharat Sanchar Nigam Limited	... Respondent

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RAMESH
JADHAV
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Mr. Madhav V. Chhatre, petitioner-in-person present.
Ms. Neeta V. Masurkar for the respondent.

CORAM : A. S. GADKARI AND
AMIT BORKAR, JJ.

DATED : JULY 15, 2025

Order:- (Per Amit Borkar, J.)

1) Petitioner has preferred present review petition, seeking review of the Judgment and Order dated 30th September 2024. By the said Judgment, this Court had dismissed the petitioner's claim on the ground that, he had failed to exercise his option in accordance with Clause 3.6 of the Office Order dated 7th May 2010. The petitioner had attempted to invoke the default provision under Clause 3.7 of the same Office Order. However, this Court,

after examining the record then placed before it, found that the petitioner had not acted in accordance with Clause 3.6 and therefore could not take shelter under Clause 3.7 as a fallback.

2) In support of the present review petition, the petitioner has annexed at Exhibit-‘B’ a copy of the Form of Auction dated 17th May 2010, which, according to him, demonstrates that he had opted for the revised pay scale with effect from 1st January 2007. However, it is pertinent to note that the petitioner himself admits that, this document was not produced either before the Central Administrative Tribunal or before this Court when the main petition was heard and decided. It is thus evident that the petitioner seeks to rely upon a document which was admittedly available with him but was not brought on record at the relevant time.

3) It is well settled in law that the scope of review is extremely limited. Review jurisdiction is not an opportunity for re-argument or for filling in the lacunae by introducing fresh material. A party cannot be permitted to reopen a concluded matter merely by producing documents which, though in his possession earlier, were not placed before the Court despite having every opportunity to do

so. The Supreme Court has consistently held that review is not an appeal in disguise and cannot be entertained on the basis of material which, with due diligence, could have been presented earlier.

4) In the present case, there is no averment, much less any explanation, as to why the petitioner did not place the said document dated 17th May 2010 before the Court or the Tribunal during the original proceedings. The petitioner also does not claim that the document was discovered later or was beyond his reach despite due diligence. Therefore, the attempt to now rely upon it in review proceedings is clearly impermissible.

5) In view of the above, this Court is of the considered opinion that no error apparent on the face of the record has been demonstrated, nor has the petitioner made out any ground falling within the limited contours of review jurisdiction under law. The review petition is thus devoid of merits and is liable to be rejected.

6) Accordingly, the review petition stands dismissed. No order as to costs.

(AMIT BORKAR, J.)

(A.S. GADKARI, J.)