



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

MISC. CIVIL APPLICATION (REVIEW) NO. 981 OF 2024
IN WRIT PETITION NO. 4487 OF 2023 (D)

(Smt. Aruna Siddarth Ghutke Vs. State of Maharashtra & Ors.)

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

Court's or Judge's orders.

Ms A.R. Taiwade, Counsel for the applicant/petitioner.
Mr. I.J. Damle, A.G.P. for respondent nos. 1 to 3/State.

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CORAM : ANIL L. PANSARE, J.
SEPTEMBER 20, 2025

Review of order dated 24/7/2024 passed by
this Court in Writ Petition No. 4487/2023 is sought on the
following grounds :

"I) That, there is opposition from the card holder to collect the food grains from the shop of the petitioner.

II) That, the one Shri Tulsiramji Chute due to village politics to approach the respondent no. 1 and filed review which was mechanically consider and order was passed by the respondent No. 1. That, the Shri Tulsiramji Chute was not party before the respondent No. 1, 2 and 3.

III) That, 89% card holder received food grains from petitioner/applicant's shop shows that there is no grievance against the petitioner's shop. The card holder does not have complaints against applicant/petitioner.

IV) That, the respondent No.1 while passing order dated 16.06.2023 does not give proper reason for cancellation of their earlier order.

V) That, the principles of natural justice was not followed by the respondent No.1 while passing of order dtd. 16.06.2024. That, the order was passed after two months of hearing.

VI) That, the proper opportunity was not given to applicant/petitioner, even the copy of review application was not supplied therefore. It was not possible for applicant/petitioner to argue the matter without copy of Review.

VII) That, the order was passed without application of judicious mind. That, the name

of the petitioner/applicant is shown as (oknh) that the applicant in the order dtd. 16.06.2023 and name as one Ambulkar is shown as respondent. It is submitted that review was filed by respondent No. 4 Tulsiram Chute and in order name of Aruna Ghutke petitioner is shown as applicant. That, this is mistake in the order. This shows that order was passed without application of mind. That, the order is very ambiguous not even mentioned the concerned partly correctly. Therefore, only on the ground on 16.06.2024 needs to be quashed and set aside.

VIII) That, the order was passed without giving proper opportunity to the petitioner. The principle of natural justice and fair play was not followed. That, the petitioner could not received the copy of Review application. On the small point that the opportunity should be effect and should not be afar.

IX) That, scope of quasi judicial opportunity is very limited and respondent ought not to have passed the cancellation of early order without proper reason. That, the order dtd. 16.06.2023 does not reflect any strong reasons for setting aside order dated 20.1.2023. That, the entire reasons is wrapped up in one para were the order of Respondent No.3 District Supply Officer is upheld without considering effect of order dated 20.02.2023. That, the detailed reasons is necessary while passing the order in review petition and completely canceling the earlier order by the quasi judicial authorities.

X) That, the order passed by the respondent No.1 is prima facie bad in law. Further, the order is non speaking order. Hence it can not stand in law and needs to be quashed and set aside."

2] As could be seen, review is sought on the count that respondent no.1 committed error of law in passing the impugned order, which was the subject matter of order dated 24/7/2024 passed by this Court.

3] Thus, the applicant intends to argue the matter afresh, under the garb of review, which is not permissible.

4] The Counsel for the applicant submits that she could not point out to the Court certain important facts as well as legal grounds. It is, however, not the case of the applicant that despite due diligence, these grounds, either factual or legal, could not be brought to the notice of the Court, nor is it the case of the applicant that there occurred subsequent event/s that would require review of order dated 24/7/2024.

5] That being so, the application, as filed, is not maintainable. The same is accordingly rejected.

(JUDGE)

Sumit