



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

MISC. CIVIL APPLICATION (REVIEW) NO.891 OF 2025
IN WRIT PETITION NO.7359 OF 2025 (D)

SHITAL DEVENDRA DESHMUKH

VERSUS

STATE OF MAHA., THR. RETURNING OFFICER, KHAMGAON, MUNICIPAL
 COUNCIL GEN. ELECTION 2025 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. H.R. Gadhia, Advocate for Applicant.
 Ms. D.V. Sapkal, AGP for Respondent No.1-State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 08th DECEMBER 2025

PER COURT :-

1. Heard learned Advocate for the Applicant.
2. This is an application for review of the order dated 26.11.2025, passed by this Court in Writ Petition No.7359 of 2025.
3. For the sake of consideration of the contentions advanced, the said order in Writ Petition No.7359 of 2025 is reproduced below :

“1. After arguing the matter for some time, learned Advocate for the petitioner seeks permission to withdraw the instant petition with liberty to file an election petition if situation arises.

2. Permission granted.

3. The Writ Petition is disposed of as withdrawn with liberty as prayed for.”

4. Learned Advocate for the applicant submits that the order dated 26.11.2025 was passed by the Court when the stage of election was for allotment of symbols to the contesting candidates. He submits that now the election program for the remaining stages is declared and hence, considering this new event, the order dated 26.11.2025 be reviewed. It has to be noted that the order dated 26.11.2025 records statement made by learned Advocate for the petitioner on instructions to withdraw the petition. There is no adjudication of the matter and the petitioner has herself sought for withdrawal of the petition seeking liberty to file an election petition. Pertinently, the matter was argued on merits by the learned Advocate for the petitioner for sometime and after observing the disinclination of the Court to grant relief, the petitioner withdrew the petition.

5. Learned Advocate for the applicant submits that the review is sought and the grounds of review are mentioned in paragraph No.4 of the application, which are reproduced below :

“4. Now the elections to Municipal Council are postponed and scheduled on 20-12-2025. The Petitioner now intends to prosecute her right to contest the election as there is sufficient breathing time for doing so. In the light of changing circumstances, the Petitioner most humbly craves leave of this Hon’ble Court to seek review of its order dated 26-11-2025 permitting the Petitioner to withdraw the writ petition and requests this Hon’ble Court for an order on merits of the matter.”

6. Position of law is settled that an application for review is entertained when there is error apparent on the face of record or on discovery of new and important matter. Mere postponement of a few stages of election cannot be a ground for review.

7. Having regard to the contents of the application and submissions advanced, no case is made out seeking review of the order dated 26.11.2025. Therefore, the application deserves to be rejected.

8. In view of the above, the application for review stands rejected.

(PRAFULLA S. KHUBALKAR, J.)

asd