



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**REVIEW APPLICATION (CIVIL) NO. 43 OF 2026
IN WP/13145/2017**

Nalluri Giri Prasad s/o N. R. Janakiram

.. Applicant

Versus

Mohammad Shamim Ansari And Others

.. Respondents

Mr. S. V. Adwant, Advocate for Applicant.

Mr. V. D. Sapkal, Senior Advocate a/w Mr. V. K. Bhosale, Advocate
i/b Mr. S. R. Sapkal, Advocate for Respondent No. 1.

Mr. A. S. Pagare, Advocate for Respondent No. 2.

**CORAM : KISHORE C. SANT AND
SUSHIL M. GHODESWAR, JJ.**

DATE : 18th MARCH, 2026.

PER COURT :-

1. This application is filed seeking review of the order dated 20.01.2026 passed in Writ Petition No. 13145/2017 whereby, this Court had directed the applicant to deposit an amount of Rs. 1,18,73,290/- received by the applicant towards acquisition of the land which was seized and auctioned by the respondent-bank alongwith 50% of the interest amount. Since the revenue entries were in the name of applicant, the compensation was paid to him. Since the applicant without disclosing the fact that the said property is already taken into possession by the bank, he accepted

the amount of the compensation. It is in that view this Court had passed an order to test the bonafides of the applicant.

2. Now, by way of this application, the applicant has come with a case that he has already deposited an amount of Rs. 76,54,787/- in response to the bank's offer to settle the account by way of one time settlement (OTS). This fact inadvertently was not brought to the notice of this Court and therefore, the order came to be passed. Had the fact of depositing part of the amount towards OTS been pointed out, then this Court would not have passed an order of testing bonafides of the applicant by directing to deposit the amount .

3. The learned advocate Mr. Adwant for the applicant submits that the order needs to be reviewed as it was passed without noticing the fact of depositing of the some amount towards part of liability.

4. This application is vehemently opposed by the learned Senior Advocate Mr. Sapkal for respondent No. 1. He submits that while passing the order it was specifically pointed out that the property which is already auctioned by the bank came to be

acquired. Though the applicant had no right over the property on the date of acquisition, still he accepted the amount of compensation by suppressing the fact that the property is already taken into possession by the bank. He submits that, in that view the order was passed. He further argued that there is no error apparent on the face of record pointed out by the applicant making out case for review of order.

5. While passing the order this Court had specifically considered the aspect that, when the property was acquired it was not in possession of the applicant. Merely because the revenue entries were still standing in the name of applicant, the amount was paid to him. It is in that view the order was passed directing the applicant to deposit the amount he received towards compensation.

6. During the course of argument it is also pointed out by learned Senior Advocate Mr. Sapkal for respondent No. 1 that the applicant is directed to deposit the amount within twelve (12) weeks from the date of order i.e. till 14th April, 2026. The said period is yet to expire. As such, there is no cause to file such an application.

7. This Court finds force in submission of learned Senior Advocate Mr. Sapkal for respondent No. 1. No any error apparent on the face of record is pointed out. An order was clearly passed by considering the fact that the amount of compensation is received by the applicant without disclosing the fact of loosing of possession. Thus, this Court finds that, there is no error apparent on the face of record. No case is made out calling for interference at the hands of this Court. Therefore, the review application stands dismissed. No order as to costs.

(SUSHIL M. GHODESWAR, J.)

(KISHORE C. SANT, J.)

P.S.B.