IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 25 OF 2026
WITH
INTERIM APPLICATION NO. 1638 OF 2026
IN
REVIEW PETITION NO. 25 OF 2026
IN
WRIT PETITION NO. 3031 OF 2026

Prakash Mahadeo Hipparkar ...Petitioner

Versus

The State Of Mah. Thr. Principal Sec. School Education School Education And Sports Dept. And Others ...Respondents

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Dr. Uday Warunjikar (through VC) a/w Mr. N.G.Kamble, for the Petitioner.
Ms. Tejas Kapre, AGP for the Respondent-State.

CORAM : SHARMILA U. DESHMUKH & NEERAJ P. DHOTE, JJ.

DATE : OCTOBER 09, 2026.

P. C. :

1. The Review Petition seeks review of the order dated 29th August, 2026 passed by this Court rejecting the Petition. The Petitioner is the original Petitioner and the dispute pertained to the correction of the date of birth of the Petitioner in his service record. Along with the Review Petition, an Interim Application has been filed for the purpose of placing on record additional document based on which the review Petitioner seeks review of the order dated 29th August, 2026. Order

XLVII Rule 1 reads as under :

> *"1. Application for review of judgment.—(1) Any person considering himself aggrieved—*
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> *(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,*
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> *(b) by a decree or order from which no appeal is allowed, or*
>
> *(c) by a decision on a reference from a Court of Small Causes,*
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> *and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order.*
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> *(2) A party who is not appealing from a decree or order may apply for a review of judgment notwithstanding the pendency of an appeal by some other party except where the ground of such appeal is common to the applicant and the appellant, or when, being respondent, he can present to the Appellate Court the case on which he applied for the review.*
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> *[Explanation.—The fact that the decision on a question of law on which the judgment of the Court is based has been reversed or modified by the subsequent decision of a superior Court in any other case, shall not be a ground for the review of such judgment.]"*

2. The parameters of review jurisdiction are well settled. In the present case, review is sought on the basis of the document produced by way of Interim Application. It is not the Petitioner's case that the said document was not within his knowledge or was not available with him when the Petition was filed. It is not the case of error apparent on the face of record. It also needs to be noted that the Petition was argued by a different Advocate and Review Petition is filed by different Advocate. As no grounds for review are made out, Review Petition stands dismissed.

3. Interim Application does not survive for consideration and stands disposed of.

[NEERAJ P. DHOTE, J.] **[SHARMILA U. DESHMUKH, J.]**