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

MISC. CIVIL APPLICATION NO. 136/2026

IN

WRIT PETITION NO. 5202/2024(D)

Deputy Conservator of Forest, Akola

..versus..

Vasant Mangu Rathod

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

.....
Court's or Judge's orders

.....
Shri N.S. Autkar, AGP for the Applicant(s)

Shri R.V. Shiralkar & Shri V.B. Bhise, Advocates for the Respondent

CORAM:- M.S. JAWALKAR, J.

APRIL 10, 2026

. Heard learned Counsel for the respective parties.

(2) The present Application is filed by the Applicant for review of the judgment and order dated 09/06/2025 passed by this Court in Writ Petition No. 5202/2024.

(3) On perusal of the said judgment and order, I do not see any error apparent on the face of record.

(4) Learned Counsel for the Respondent placed reliance on the judgment passed by the Hon'ble Apex Court in the case of **Sanjay Kumar Agrawal vs. State Tax Officer & another**, reported in (2024) 2

SCC 362 and pointed out that the grounds raised in this Application are already considered by this Court.

(5) The Hon'ble Supreme Court, in Paragraph No. 16 of the above judgment, laid down certain parameters to seek review, which are as under:-

16. The gist of the afore-stated decisions is that: -

(16.1) A judgment is open to review inter alia if there is a mistake or an error apparent on the face of the record.

(16.2) A judgment pronounced by the Court is final, and departure from that principle is justified only when circumstances of a substantial and compelling character make it necessary to do so.

(16.3) An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of record justifying the court to exercise its power of review.

(16.4) In exercise of the jurisdiction under Order 47 Rule 1 CPC, it is not permissible for an erroneous decision to be "reheard and corrected."

(16.5) A Review Petition has a limited purpose and cannot be allowed to be "an appeal in disguise."

(16.6) Under the guise of review, the petitioner cannot be permitted to reagitate and reargue the questions which have already been addressed and decided.

(16.7) An error on the face of record must be such an error which, mere looking at the record should strike and it should not require any long-drawn process of

reasoning on the points where there may conceivably be two opinions.

(16.8) Even the change in law or subsequent decision/ judgment of a co-ordinate or larger Bench by itself cannot be regarded as a ground for review.

(6) In view thereof, I do not find any reason to interfere in the judgment and order dated 09/06/2025 passed by this Court in Writ Petition No. 5202/2024. As such, the Review Application stands **rejected.**

(M.S. JAWALKAR, J.)