
(2026) 08 BOM CK 3540

In the Bombay High Court

Case No : Review Petition (St) No. 20408 of 2026 in Writ Petition No.382 of 2025 with Interim Application No.5849 of 2026

Patil Construction And Infrastructure Ltd & Ors.

APPELLANT

Vs

Raghunath Shivram Naikade

RESPONDENT

Date of Decision : 04-08-2026

Acts Referred:

Citation : (2026) 08 BOM CK 3540

Hon'ble Judges : Amit Borkar, J

Bench : Single Bench

Advocate : Mr. S. M. Gorwadkar, Sr. Advocate a/w Mr. S. H. Gangal, Ms. Archana Khadikar i/b Ms. Indrayani Patani

Final Decision : Dismissed

Judgement

1. The original respondent has filed the present Review Petition seeking review of the judgment and order dated 8 May 2020.

2. Their main grievance is regarding that part of the judgment by which one time compensation payable to the original petitioner came to be enhanced from Rs.2,00,000/. to Rs.8,00,000/. According to the review petitioners, such enhancement was not proper and was much on higher side. It is submitted that the original petitioner had worked with the review petitioners only for about 11 months. Therefore, according to them, there was no sufficient reason for granting compensation of such amount. It is their submission that compensation should always have reasonable relation with facts of the case and the nature and period of service rendered by the employee. They contend that this Court while passing the earlier judgment has not properly considered this aspect. It is further submitted that if the entire facts and settled legal principles are properly appreciated, the amount awarded deserves to be reconsidered in review jurisdiction. To support these submissions, reliance is Athya v. High Court of M.P. & Anr., 1996 (1) SCC 560; Durgabai Deshmukh Memorial Senior Secondary School v. J.A.J. Vasu Sena & Anr., (2019) 17 SCC 157; Madhya Pradesh v. Satya

Narayan Jhavar, (2001) 7 SCC 161; State of Punjab v. Dharam Singh, AIR 1968 SC 1210; Secretary, State of Karnataka v. Umadevi, (2006) 4 SCC 1; and State Bank of India v. Palak Modi, (2013) 3 SCC 607. According to the review petitioners, these decisions lay down principles regarding regularisation, temporary employment and grant of relief, and if those principles are correctly applied, the judgment under review requires reconsideration.

3. In my opinion, the above submissions cannot be accepted. The reasons which weighed with this Court while enhancing the compensation have already been recorded in paragraphs 12 to 16 of the judgment under review. Those reasons form part of the judgment and they disclose the basis on which this Court considered it appropriate to enhance the compensation. Review jurisdiction is very limited in nature. It is not meant for rehearing the matter or for taking a different view merely because another view is also possible. Unless there is some error apparent on the face of the record, or any mistake which is self evident without requiring long process of reasoning, the judgment cannot be reopened. After going through the decisions relied upon by the review petitioners, in my opinion, those judgments are distinguishable on facts and do not govern the controversy involved in the present case. The factual background in those decisions is different and the legal issues considered therein are also not identical to the issue which was decided while passing the judgment dated 8 May 2020. Merely because those authorities have been cited, it does not automatically follow that the earlier judgment has become erroneous. The review petitioners are in substance requesting this Court to reconsider the merits of the case and to take another possible view regarding the amount of compensation. Such exercise is outside the scope of review jurisdiction. This Court does not find any patent error, omission or mistake apparent on the face of the record which would justify interference with the judgment already delivered. Therefore, no ground warranting exercise of review powers is made out. Hence, the Review Petition deserves to be dismissed.

4. Since the Review Petition does not survive and has been dismissed, nothing further remains for consideration in the Interim Application. The same stands disposed of accordingly.