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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 115 OF 2026
IN
WRIT PETITION (ST.) NO.4264 OF 2026
WITH
INTERIM APPLICATION NO.6586 OF 2026

Laxmi Nagrath ... Petitioner
V/s.
Kanika Dang & Ors. ... Respondents

Mr. Nikhil Sakhardande, Senior Advocate i/b Mr.
Rajeev Talasikar for the petitioner.

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CORAM : AMIT BORKAR, J.

DATED : AUGUST 25, 2026

P.C.:

1. This Review Petition is principally filed on the ground that, although an application seeking condonation of delay in filing the Revision Application was already preferred, the said fact was not brought to the notice of this Court when the matter was considered. It is contended that the omission to place the said material fact before the Court has resulted in the matter being considered without taking into account the complete factual position.

2. Having perused the record and proceedings, it is evident that despite several opportunities being granted, the Respondent failed to appear before this Court and did not place the relevant material

on record. It was, however, incumbent upon the Review Petitioner to bring before this Court all relevant facts and documents necessary for proper adjudication of the dispute on merits. The failure of the Respondent to appear or to place the relevant record cannot, by itself, be treated as a circumstance which would entitle the Review Petitioner to seek a review of the order. The Court is required to examine the Review Petition on the basis of the material which was available before it when the order under review was passed.

3. In my opinion, the jurisdiction in review is limited. The Court is required to examine whether, on the basis of the material available on record, there is an error apparent on the face of the record or any other legally recognised ground warranting exercise of review jurisdiction. A review cannot be treated as an opportunity to re-argue the matter or to introduce material which was not properly placed before the Court at the relevant time. The mere possibility of another view being taken on the facts, in the absence of an error apparent on the face of the record, would not justify interference in review jurisdiction.

4. Having regard to the overall facts and circumstances of the case, and particularly the finding recorded in relation to suppression of material facts, I am of the view that no ground is made out for exercising the limited jurisdiction of review. The material placed before this Court does not disclose any error apparent on the face of the record warranting reconsideration of the order under review. The circumstances relied upon by the Review Petitioner, therefore, do not justify interference with the

order already passed.

5. In view of the aforesaid discussion and findings, the Review Petition is devoid of merit and is accordingly dismissed.

6. In view of the dismissal of the Review Petition, the pending Interim Application(s), if any, do not survive and the same stand disposed of accordingly.

(AMIT BORKAR, J.)