

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

**CIVIL APPLICATION NO. 15127 OF 2013
IN
REVIEW APPLICATION STAMP NO.23886 OF 2013
IN
CIVIL REVISION APPLICATION NO.160 OF 2013**

Mallesham s/o. Ramchandra Nalla
and others

.. APPLICANTS

VERSUS

Mallesham s/o. Venkati Tatipamul
and others

..RESPONDENTS

...
Mr.V.S.Bedre, Advocate for the Applicants

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**CORAM : S.S. SHINDE, J.
DATE: 30th January, 2015**

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PER COURT:-

1] This Application is filed for condonation of delay in filing the Review Application.

2] Heard the learned counsel appearing for the applicants even on merits of the prayer of the application for condonation of delay, and also on merits of the Review Application.

3] The learned counsel appearing for the Review Applicant submits that, the decree was passed in favour of the landlord by the Court below on the ground of *bona fide* requirement, unaware of the fact that, the respondents in Review Application jointly acquired alternate property in

the name of their uncle Balkishan Tatipamul from Hudco Authority i.e. In Survey No. 105/5(P) Final Plot No.114 in T.P.Scheme No.4, Savedi, Ahmednagar i.e. Row House No. 92 and same is in possession of the respondents. Therefore, the learned Counsel appearing for the Review Applicant submits that, delay may be condoned, and Review Application deserves consideration.

4] Heard the learned advocate appearing for the Review Applicant. Delay condoned. Application for condonation of delay stands allowed and disposed of.

5] So far the Review Application on merits is concerned, though, the Review Applicant has taken the grounds in the Review Application that, the landlord has acquired above mentioned property, however, to that effect no any document is placed on record. Even as per the averments in the Application, the contention of the Review Applicant is that, the alternate property is acquired in the name of the uncle of the respondents.

6] In that view of the matter, no case is made out to entertain the Review Application. There is no error apparent on the face of record so as to review the order dated 9th July, 2013 in Civil Revision Application No. 160/2013 passed by this Court. Review Application stands rejected.

Sd/-

[S.S. SHINDE, J.]

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