

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION (REVIEW) NO. 27 OF 2014

IN

WRIT PETITION NO. 549 OF 2012

THOMAS SALVADOR MENEZES @ SALVADOR
MENEZES (SIN.DEC.) THROUGH HIS
LRS.

... Applicant

Versus

DENA BANKREP. BY ITS CHIEF MANAGER
AND CONSTI. ATTORNEY JAYARAM V.
SHENOY AND ANR.,

... Respondents

Shri Ryan Da Piedade Menezes, Advocate for the Applicants.

Coram:- N. M. JAMDAR, J.

Date:- 29th January, 2015

ORAL ORDER:

The review petitioner/original respondent no.1 seeks review of the order passed on 18th October, 2013 by R.M. Sawant, J. in Writ Petition No.549/2012. By the order under review, Writ Petition filed by the respondent/original petitioner - Bank was allowed and the impugned orders were quashed.

2. The learned Counsel for the review petitioner submitted that an error apparent on the face of record, was committed by the Court holding that notice was required to be given to the respondent/Bank inspite of the fact that the summons were served and Bank chose not to appear nor get itself deleted. This very argument was made before

the learned Single Judge, who passed the order under review and he has rejected it holding that knowledge of the proceedings could not have been attributed to the Bank considering the facts of the case. What petitioner seeks to do is to reargue the point. It is always open to the petitioner to take appropriate steps for challenging the order in higher forum, if he is aggrieved by the decision. This is not a case to exercise review jurisdiction. Review petition is accordingly rejected.

N. M. JAMDAR, J.

NH