

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
REVIEW PETITION ST. NO. 635 OF 2015
IN
FAMILY COURT APPEAL NO.2 OF 2009

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Shri Nirman Sharma i/by Dharam & Co for the Petitioner.

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CORAM : A.S. OKA & G.S.KULKARNI, JJ
DATED : 20TH MARCH 2015

P.C.:

. Heard learned counsel appearing for the Review Petitioner. The Review Petitioner is the Respondent in the Appeal. He pointed out that the next friend of the Respondent has since expired. He makes this statement on the instructions of the Review Petitioner.

2. The question of issue of notice will arise only if there is any merit.

3. On 4th March 2015, this Review Petition was adjourned to enable the learned Advocate to obtain No Objection from the original Advocate of the Review Petitioner, which was thereafter obtained and that is how this Review Petition is placed before us.

4. The only submission of the learned counsel appearing for the Review Petitioner is that the paper book prepared by the Advocate for the Appellant in the Appeal was defective. He urged that a copy of the affidavit-in-lieu of the examination-in-chief forming a part of paper book is not the correct copy and, therefore, the finding of this Court based on consideration of the said copy of the evidence is erroneous. He submitted that the Respondent/Appellant in the Appeal has indulged in fabrication of record.

5. By the Judgment and Order dated 30th October 2014, this Court has dealt with the evidence on record. We must record here that this Court while deciding the Appeal has perused the original record and the affidavits-in-lieu of the examination-in-chief and the notes of evidence on the original record and accordingly have recorded our findings in the judgment under review.

6. There is no error apparent on the face of record. Even otherwise, there is no ground for review. The Review Petition is dismissed.

(G.S.KULKARNI, J)

(A.S.OKA, J)