

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 39 OF 2014
IN
CIVIL REVISION APPLICATION NO. 330 OF 2013

Yusuf Hussain .. Applicant
vs.
Kalawanti G. Methani
(since deceased through her
Constituted Attorney) and ors. .. Respondents

Mr. A.S. Gaikwad for the Applicant.

CORAM : M. S. SONAK, J.
DATE : 14 JULY 2015.

P.C. :-

1] There is delay of about 249 days in filing the Review Petition. The explanation is that after this Court made its order dated 25 April 2013 in Civil Revision Application No. 330 of 2013, the applicant preferred a Special Leave Petition to the Apex Court, which was dismissed on 27 June 2013. Thereafter, the applicant instituted Writ Petition No. 11109 of 2013 seeking to challenge the order dated 25 April 2013, *inter alia*, on the ground that the same was obtained by fraud. This Court by its order dated 2 December 2013 permitted the applicant to withdraw the said petition with liberty to apply for review. All contentions, including the issue of maintainability of the Review Petition were expressly kept open. Thereafter on 22 January

2014, the Review Petition, alongwith application seeking condonation of delay came to be instituted.

2] In the aforesaid circumstances, the delay involved in instituting the Review Petition is sufficiently explained and accordingly, Civil Application is made absolute in terms of prayer clause (b).

3] Civil Application is disposed of.

(M. S. SONAK, J.)

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