

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 3212 OF 2015

R.D. Sethna Scholarship Fund and Ors. ..Petitioners

Vs.

Northcote Nursing Home Pvt. Ltd. & Ors. ..Respondents

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Mr. P.S. Dani, Sr. Advocate a/w Ms. Shivani Khanna, Advocate i/b FZB & Ass. for Petitioner.

Mr. Vineet Naik, Sr. Advocate a/w Jyotsana Koudhalkar i/b Vigil Juris for Respondent No.1.

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CORAM : N.M. JAMDAR, J.

DATED : 5 MAY 2015

P.C.:

At the outset, the learned Counsel for the respondent takes preliminary objection that the petitioner has a remedy of filing a revision before the Appeal Bench of the Small Causes Court. No reason is shown by the applicant as to why the said remedy cannot be availed.

2. In view of this position, the writ petition need not be entertained and is accordingly rejected with a liberty to the applicant to file a revision before the Appeal Bench of the Small Causes Court. All contentions are left open.

(N.M. JAMDAR, J.)