

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 689 OF 2012
WITH
CIVIL REVISION APPLICATION NO. 690 OF 2012
WITH
CIVIL REVISION APPLICATION NO. 691 OF 2012**

Mohan Basu Bhosale

..Petitioner

Vs.

Balraj Krishna Dhajal & Ors.

..Respondents

Mr. T. D. Deshmukh for the Petitioner

Mr. Surel Shah for the Respondents

CORAM : R. M. SAVANT, J.

DATE : 19th JANUARY, 2015

P.C.

1 The above Civil Revision Applications take exception to the order rejecting the applications filed under Order VII Rule 11(d) of the Civil Procedure Code in each of the Suits. It appears that in another Suit an identical application based on the identical facts that is in Special Civil Suit No.45 of 2005, was rejected, which rejection was challenged in this Court by way of Civil Revision Application No.334 of 2008. The said Civil Revision Application came to be dismissed by a Learned Single Judge of this Court by order dated 29-7-2008 for the reasons mentioned in the said order. The said order was carried to the Apex Court by way of SLP No.23881 of 2008. The Apex Court by order dated 14-11-2014 has dismissed the SLP. Hence in so far as the order passed by a Learned Single Judge of this Court dated 29-7-2008 is concerned, the same has become final. Since the above Civil Revision Application raise an

identical challenge on identical grounds and between the same parties, in view of the order dated 29-7-2008, passed in Civil Revision Application No.774 of 2008, there is no merit in the said challenge. The Civil Revision Applications are required to be dismissed and are accordingly dismissed.

[R.M.SAVANT, J]