

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION (ST) NO.17554 OF 2015
IN
WRIT PETITION NO.2687 OF 2012

Vahista Consultancy and Anr.

.. Applicant

Vs.

Vahista Consultancy Private Limited
and Anr.

.. Respondents.

.....

Mr. N.V.Vechalekar for petitioners.

.....

CORAM : M.S.SONAK, J.

DATE : 8th DECEMBER, 2015.

P.C.:

1. Heard learned counsel for the review petitioner. Learned Counsel for the petitioner has submitted there was no valid resolution passed for the purpose of institution of the suit; there is no cause of action to file suit and further suit is barred by limitation.

2. The aforesaid are the very grounds which were urged in Writ petition 4 order dated 24th March, 2015 came to made. The settled position that review is not mere hearing of the petition.

3. The grounds raised by the learned Counsel for the petitioner; have been duly considered and it is held that such grounds are not sufficient to reject a plaint under Order 7 Rule 11(a)&(d) of the CPC. It is also made clear that the observation in the order dated 24th March, 2015 are for the limited purpose of deciding the Order 7 Rule 11(a)&(d) and the trial Court is not to be influenced by such observation by deciding the suit on its own merits and in accordance with law.

3. Learned Counsel for the petitioner has not been able to demonstrate any error apparent upon face of the record. No case is made out by exercise of review jurisdiction. Review petition is dismissed.
4. There shall be no order as to costs.

(M.S.SONAK,J.)