

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 6 OF 2016
IN
APPEAL FROM ORDER NO. 961 OF 2015

Narayan Balu Koli	...	Petitioner
Vs.		
Yogesh Mishra & Ors.	...	Respondents

Ms. Aparna Shinde, Advocate for the petitioner.
Mr. B.S. Mahajani, Advocate for respondent no. 1.
Mr. Vaibhav Bajpai i/b. Mr. Pramod Bajpai for respondent no. 3.
Mr. Upendra Lokegaonkar i/b. Mr. D.A. Athawale, Advocate for respondent nos. 4, 5 & 6.

CORAM: **MRS.MRIDULA BHATKAR, J.**
(In Chamber)
DATE: **16th June, 2016.**

P.C.:

This Review Petition is directed against the judgment and order dated 2nd February, 2016 in Appeal From Order No. 961 of 2015.

2. It is submitted by the learned counsel for the petitioner and respondents, who are supporting the petitioner that certain points are not considered in the order dated 2nd February, 2016. So also the date of memorandum of understanding between defendant no. 3 and defendant no.2 dated 19th July, 2006 is erroneously mentioned, as the said agreement was not before the Court.

3. The learned counsel for the respondent/original appellant has filed

affidavit opposing the Review Petition.

4. After hearing the learned counsel for the parties, I am of the view that there is no merit in the Review Petition, as the points raised and the grounds argued are not within the ambit of Section 114 and Order 47(1) of Code of Civil Procedure. Hence, the Review Petition is dismissed.

5. **The date of Memorandum of Understanding dated 19th July, 2006 between defendant no. 3 and defendant no.2** mentioned in paragraph 6 of the order dated 2nd February, 2016 is hereby modified by suo motto speaking to minutes and the same is substituted by “**Agreement between defendant no. 3 and defendant no. 2 dated 27th April, 2010.**”

(MRIDULA BHATKAR, J.)