

Sequeira

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

*REVIEW PETITION NO. 15 OF 2016
IN
SECOND APPEAL NO. 934 OF 2015*

Shri Narendra Pandharinath Shirude

.. Petitioner

Vs

Vijay Bhimrao Dasale.

.. Respondent

Mr.Amey Deshpande, for the Petitioner in Review Petition.
None for the Respondent.

*CORAM : N.M.Jamdar, J.
Tuesday, 06 September 2016.*

P.C. :

Not on board. Taken on production board by way of praecipe.

2. Review is sought of the order dated 18 April 2016. By order under review the Second Appeal was disposed of by framing questions of law and by taking up the matter for final disposal with the consent of parties. The matter was substantially argued and the document / notice below Exhibit 82 titled 'cancellation of agreement' was considered; and so also the defence of the Respondent. The parties had an opportunity to put forth all the submissions. This review thereafter is moved by the Appellant changing the advocates. It is sought to be contended by Review

Petitioner that the order under review needs to be set aside, as the agreement to sell was cancelled by letter dated 27 January 2006. This very letter was considered in the order under review and a particular view of the matter is taken. If the Appellant is aggrieved by the order under review, the Appellant has remedies in law to challenge the same in higher forum. Once the arguments were advanced on the basis of a document, then a different view cannot be taken merely because the Appellant wants to reargue by change of advocate. Considering the huge backlog of cases, such attempts by the parties to repeatedly argue the matters finally concluded, by changing advocates need to be deprecated. Review Petition is accordingly rejected.

(N.M.Jamdar, J.)