

Shri. Eknath Raghunath Takawane and others ..Applicants
Versus
Sahebrao Bajirao Takawane and others ..Respondents

Mr. Rakesh S. Patil for the Applicants.

P.C.

BGP.

interi-alia on the ground that the reasons mentioned in the original application as filed and the reasons sought to be supplemented by the additional affidavit dated 26.07.2013 impinge upon the case of the Applicants as which is set out in paragraph 3 of the Civil Application. This Court also casts a suspicion as regards the credibility of the said case as it was impossible to believe that the Applicant No.1 who has suffered two reverses namely his suit being dismissed as well as the First Appeal being dismissed would keep quiet for a period of 6 years and 97 days without keeping himself abreast of what has transpired. This Court therefore observed that the reasons mentioned in the said Civil Application No.504 of 2013 as well as the additional affidavit dated 26.07.2013 hardly inspire confidence and accordingly rejected the said Civil Application and as a consequence, the Second Appeal stood dismissed.

2 The review of the said order is sought on the grounds mentioned in the Review Petition. Since the Petitioner has sought condonation of delay of 43 days in filing the Review Petition, this Court deemed it appropriate to consider whether there was any merit in the grounds on which review is sought.

3 Having perused the said grounds in the Review Petition as also having regard to the reasons which have weighed with this Court

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whilst rejecting the said Civil Application No.504 of 2013 by the said order dated 29.07.2013 of which review is sought, no case for review under any of the eventualities mentioned in Order 47 of the Civil Procedure Code is made out. Hence even if the delay of 43 days in filing the Review Petition is allowed, no useful purpose would be served. It appears that the above Review Petition has been filed just to keep the issue alive between the parties. The Civil Application is accordingly rejected. In view of the rejection of the Civil Application the Review Petition does not survive and to accordingly stand disposed of as such.

[R.M.SAVANT, J]