

nsc.

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION***

***REVIEW PETITION NO.28 OF 2014
IN
APPEAL NO.107 OF 2008
IN
NOTICE OF MOTION NO.4054 OF 2005
IN
SUIT NO.3467 OF 2005***

Ramprakash Balkishan Chandak ...Petitioner
Versus
Shyam Balkishan Chandak and Ors. ...Respondents

Mr.Ramprakash Balkishan Chandak, Petitioner in person.
Mr.P.M.Shah a/w M.K.Tanna, for the Respondent Nos.1 to 3.

***CORAM : V. M. KANADE &
REVATI MOHITE DERE, JJ.
DATE : 24th FEBRUARY, 2016***

P.C. :

1. The petitioner is seeking review of the order dated 19th December, 2007 on the ground that the order has not been complied with by the respondents.

2. We have perused the said order. By the said order, the appellants/respondents herein were directed to pay a sum of Rs.25,000/- per month to the petitioner herein, during the pendency of the appeal. It is

submitted that this direction is not complied with by the appellants and therefore the petitioner is seeking further reliefs.

3. It appears that thereafter an order dated 6th February, 2008 was passed by the Division Bench and it was submitted by the counsel appearing for the parties that both the appeals can be disposed of in terms of the order dated 19th December, 2007, only on the condition that during the pendency of the suit, the appellants shall continue to make payment of the amount, as per the said order.

4. Since the appeal is disposed of by consent of the parties, the question of reviewing the order dated 19th December, 2007 does not arise. However, liberty is granted to the petitioner to take out appropriate proceedings for non-compliance of the order dated 19th December, 2007.

5. Review Petition, therefore, does not survive and is accordingly disposed of.

REVATI MOHITE DERE, J.

V.M. KANADE, J.