

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION (ST) NO. 31726 OF 2017
IN
CIVIL REVISION APPLICATION NO. 36 OF 2014

Meherunnisa Husseini Vahanvaty	...Petitioner
<i>Versus</i>	
The Board of Trustees of the Port of Bombay	...Respondent

Mr CN Chavan, for the Petitioner.
Mr Vishal Talsania, i/b Motiwala & Co., for the Respondent.

CORAM: G.S. PATEL, J
DATED: 17th November 2017

PC:-

1. I decline to take up the Review Petition because the amount of costs volunteered by the Applicant/Defendant have not been paid. Till those costs are paid, the Applicant is not entitled to be heard in a Review Petition or anything else. The costs were to be paid within two weeks of the order dated 7th November 2017. That time will expire on 21st November 2017.

2. The application today is that the Applicant will make payment of costs with an extension of another four weeks, but in the meantime, even without those costs being paid, the Applicant

should now be heard on this Review Petition to modify the order of 7th November 2017 and to permit the Appellant to cross-examine the Plaintiff's witness.

3. This is by no stretch of the imagination even remotely within the ambit of a review. If the Applicant wants a modification of the order, then that has to be sought separately in an appropriate manner. The limited scope of a Review Petition cannot be expanded like this.

4. There is no cause made out for review. There is no error apparent on the face of the record. The Review Petition is dismissed.

(G. S. PATEL, J)