

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

**CIVIL APPLICATION NO.202 OF 2017
IN
CIVIL REVISION APPLICATION NO.587 OF 2015**

M/s. Deepraj Hotel through Mrs. Sunita

Sanjay Bhalekar

..Applicant

Vs.

Shri Suryakant Vithal Sawant

..Respondent

Mr. Rajendra C. Dhuru for the Applicant.

Mr. A. S. Khandeparker i/b Khandeparker & Associates for the Respondent.

CORAM: M.S. SONAK, J.

DATE: 25th SEPTEMBER 2017

P.C. :

. This Civil Application seeks modification of orders dated 21/10/2015, 28/4/2016 made by this Court determining and directing the Applicant to pay compensation at the rate of Rs.25,000/- p.m. As against the said orders, the Applicant had instituted Special Leave Petition, which came to be summarily dismissed. Whilst, summarily dismissal of Special Leave Petition may not be a bar to seek review.

2. After perusal of the Civil Application, it is seen that there is no whisper about this crucial fact, on this ground itself the application is required to be dismissed with exemplary costs.

3. Mr. Dhuru, Learned counsel for the Applicant further points out that there is a ban on carrying on the business of liquor. He therefore submits, that presently the Applicant is carrying on the business of liquor through the suit premises. On this basis he submits

that no exemplary cost be imposed. Accordingly, no order for cost is made. However, the Application is dismissed and is accordingly disposed of.

(M. S. SONAK, J.)