

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION ST. NO.15196 OF 2017
IN
WRIT PETITION NO.2764 OF 2016**

M/s Western India Oil Distributors Co. Ltd. ..Petitioner
Vs.
Pravinkumar J. Dave & Ors ..Respondents

WITH
REVIEW PETITION ST. NO.15234 OF 2017
IN
WRIT PETITION NO.2721 OF 2016

M/s Western India Oil Distributors Co. Ltd. & Anr ..Petitioners
Vs.
Pravinkumar J. Dave & Ors ..Respondents

Mr. Dilip G Bagwe Review Petitioner
Mr. S. N. Vaishnawa a/w Mr. Kunal Vaishnawa i/b M/s N. N. Vaishnawa & Co. for the Respondents
Mr. Mahendra Patel Review Petitioner No.2 present
Mr. Satish Shetty Manager of Alpna Co-op Hsg Sty Ltd is present

CORAM : R. M. SAVANT, J.
DATE : 11th OCTOBER, 2017

(IN CHAMBER AT 2.45 P.M.)

P.C.

1 By the above Review Petitions, the Review Petitioners are seeking
review of the order dated 3-5-2017 passed in the above Writ Petitions. By the
said order the above Writ Petitions being No.2764 of 2016 and 2721 of 2016
came to be disposed of in terms of the directions contained in paragraph 4 of
the said order.

2 The Learned Counsel appearing for the Petitioner Mr. Bagwe on instructions of the Review Petitioner No.2 who is concerned for the Review Petitioner No.1 and who is personally present in my chambers makes a statement that the Petitioner would pay the amount as mentioned in paragraph 4 of the order under review i.e. Rs.29,50,941/- within 3 weeks from date. In view of the said statement there is now no warrant to consider the Review Petitions, the Review Petitions to accordingly stand disposed of.

3 The representative of the society Mr. M. M. Shetty, Manager of Alpana Co-op Society Ltd., wherein the flat is situated is also present in Chambers and he has produced a letter dated 10-10-2107 addressed to the Learned Counsel Mr. Bagwe wherein the amount up to June 2017 mentioned is Rs.30,88,481.97/-. It would be open for the Petitioner to pay the said amount without prejudice to his rights and contentions. It would also be open for the Review Petitioner to make a representation to the society if he has any objection of any amount claimed from him. However, it would not act as an impediment to the Petitioner to deposit the amount as recorded in paragraph 2 above. The letter of the society is taken on record and marked as "X" for identification.

4 The Review Petitions are accordingly disposed of.

[R.M.SAVANT, J]