

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION NO. 10 OF 2017
IN
APPEAL FROM ORDER NO. 438 OF 2017

Ramesh Gopal Rao

...Appellant

Versus

Maharashtra Housing And Area Development
Board

...Respondent

Mr Ajit S Karwande, *for the Appellant/Petitioner.*
Mrs Madhuri More, *for Respondent No. 2- MCGM.*
Mr VP Kakade, *i/ b, VP Sawant, for MHADA.*

CORAM: G.S. PATEL, J
DATED: 31st July 2017

PC:-

1. Heard.

2. The Appellant seeks a review of an order dated 9th June 2017. The request is that in addition to the direction in regard to electricity supply, there should be a direction to the Respondents to provide a water connection to a toilet that existed, according to the Appellant, in their premises before reconstruction.

3. On behalf of the Respondents a statement is made that in the redeveloped building, there are common sanitary facilities for every set of five shops and the Appellant is entitled to these facilities along with others and on the same terms. The Appellant cannot get additional or special facilities because these are not available to others who are similarly situated.

4. Mr Karwande's argument seems to be that before redevelopment his client's commercial premises did in fact have separate toilet and sanitary facilities within the Appellant's shop. This is not something that can be examined in a review petition particularly since there is no challenge to paragraph 2 of the order of 9th June 2017, which records that the Appellant unconditionally accepted the agreement dated 21st April 2002.

5. Even otherwise, there is no ground made out for review under Order 47 or Section 114 of the Code of Civil Procedure 1908.

6. The review petition is dismissed. No costs.

(G. S. PATEL, J)