

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION NO. 9 OF 2017
IN
FIRST APEPAL NO. 1860 OF 2013
WITH
CIVIL APPLICATION NO. 249 OF 2017
IN
REVIEW PETITION NO. 9 OF 2017

Anant Govind Tamhankar (since deceased)	
through LRs	...Petitioners
<i>Versus</i>	
Shilpa Ashok Nayak & Ors	...Respondents

Mr Kunal M Damle, *for the Petitioners.*
Mr H Toor, *with Mrs Swati Sawant, i/b SK Legal Associates, for*
Respondent No. 1.
Mrs Sayli Apte, *i/b PG Lad, for the Respondent No. 2.*

CORAM: G.S. PATEL, J
DATED: 7th December 2017

PC:-

1. The petition seeks a review of my order dated 23rd June 2017 disposing of both First Appeals. I have heard Mr Damle for the Petitioners and carefully considered the submissions in the Review Petition. It is at once clear that what is sought is not a review at all,

for no error apparent on the face on record is pointed out. What is in fact sought is a fully-fledged rehearing of the First Appeals, on grounds already taken, considered and decided. The fact that the decision is not to a party's liking, taste or convenience is not a ground of review. Nothing in this petition is within the frame of Section 114 or Order 47 of the Code of Civil Procedure 1908.

2. In paragraphs 5 to 9 of the order in question, I considered the necessary averment in the plaint that affected the question of jurisdiction and also the submission that prayer clause (a) in the suit was for a declaration against MHADA. The Review Petition proceeds on the basis that my decision in regard to that prayer clause (a) of the declaration against MHADA is incorrect. That is not a ground for review.

3. The Review Petition is dismissed. There will be no order as to costs.

(G. S. PATEL, J)