

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVIEW PETITION (ST) NO. 33754 OF 2017
IN
REVIEW PETITION NO. 6 OF 2017
IN
APPEAL FROM ORDER NO. 299 OF 2014
WITH
CIVIL APPLICATION (ST) NO. 33755 OF 2017

Vijaya R. Gurav

.. Petitioner

vs.

M/s. Malde Properties Pvt. Ltd.
and ors.

.. Respondents

None for the Review Petitioner.

Mr. Ajay Basutkar a/w. Ms Ashwini Gagil and Mr. Aniket Ransubhe
for Respondent No.2.

Mr. Abhijit Patil for Respondent No.3.

CORAM : M. S. SONAK, J.

DATE : 15 DECEMBER 2017

P.C. :-

1] This review petition was mentioned yesterday pointing out
that there is urgency since, the time granted was to expire today.

2] Accordingly, the review petition was placed today to be taken
up at 10.00 a.m.

3] Learned counsel for the review petition is however, not present. Therefore, the matter was taken up at 10.15 a.m.. Even at 10.15 a.m., learned counsel for the review petitioner is not present.

4] In this case, the review petition is directed against the order dated 17th November 2017, which was itself an order made in Review Petition No. 6 of 2017. This means that this is a case of a second review petition.

5] In terms of the provisions as also the principles contained in Order 47 Rule 9 of the C.P.C. , such a review petition is not maintainable.

6] The Supreme Court in *Chandro Devi and ors vs. Union of India and ors.* reported in (2017) 9 SCC 460 and in case of *M. Satyanarayana Murthy and ors. vs. Mandal Revenue, Officer Cum Land Acquisition Officer* reported in 1998 (7) SCC 445 has held that a second review petition or a successive review petitions are not maintainable. In case of *Sr. Andanagoudar vs. The Management of N.W.K.R.T.C., Divisional Office by its Divn. Contl.* reported in *ILR 2011 Karnataka 933*, the Division Bench of the Karnataka High

Court has held that filing of successive review petition constitutes an abuse of the process of the Court.

7] For the aforesaid reasons, this second review petition is dismissed as not maintainable. There shall, however, be no order as to costs.

8] The Civil Application (St.) No. 33755 of 2017 does not survive and the same is disposed of accordingly.

(M. S. SONAK, J.)