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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
REVIEW PETITION (L) NO.49 OF 2017
IN
WRIT PETITION NO. 1740 OF 2016**

Bhakti Buildwell

... Review Petitioner.

V/s

Red Rose Co-operative Housing
Society Ltd and Others

.... Respondents.

Mr. G.S. Godbole a/w Mr. Husain Ashif for Review Petitioner.
Mr. Mihir Desai, Senior Counsel a/w Mr. Ankur Shah and Mr.
Vinamra Kopariha for the original Petitioners.
Mr. Sagar Patil for Respondent Nos. 1 and 2.

**CORAM: B. R. GAVAI &
M.S. KARNIK, JJ.**

**DATE: 6th October, 2017
(In Chamber at 2.50 P.M.)**

P.C.:-

1] The Review Petitioner has sought review of the order passed by this Court dated 21/08/2017 in Writ Petition No. 1740 of 2016.

2] It is the contention of the Review Petitioner that the order under review substantially affects rights of the Review Petitioner. It is submitted that though parties to the Petition were aware about the rights of the Review Petitioner, nobody pointed out the same to the

Court and, as such, the Order dated 21/08/2017 needs to be reviewed and the Petition restored to the file.

3] Perusal of the Order passed by us would reveal that the Court has specifically observed that the Court is not considering the private dispute between Respondent No.3 on the one hand and Petitioners and Respondent No.4 on the other hand. The relief granted in the Petition is basically commanding the Respondent – Corporation to discharge its statutory duties.

4] If it is the contention of the Review Petitioner that the Order has been obtained by the original Petitioners by suppressing material facts, then the remedy of the Review Petitioner to file a separate Petition is not taken away. Reliance in this respect can be placed on the Judgment of the Apex Court in *Pohla Singh alias Pohla Ram (D) by LRs. and Others vs. State of Punjab and Others*¹.

5] Review Petition, therefore, stands rejected.

(M. S. KARNIK, J.)

(B. R. GAVAI, J.)

¹ (2004) 6 SCC 126