

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

M.C.A. NO.49/2017
IN
WRIT PETITION NO.5926/2015 (D)

Dr. Arunkumar S/o Narayanrao Deshmukh
..Vs..
Dr. Krishnamanohar S/o Babulal Jaiswal

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.
DATED : 23.1.2017.

Heard Shri D.V. Chavhan, Advocate for the applicant and Shri J.J. Chandurkar, Advocate for the original petitioner.

The original respondent No.1 / judgment debtor has filed this application seeking review of the judgment passed by this Court on 11th July, 2016. The contention of the petitioner is that he is not granted hearing because of which he is deprived of pointing out to this Court that the claim made by the petitioner / decree holder cannot be granted. The facts on record show that in response to the notice of final disposal issued by this Court, the respondent / judgment debtor had put in appearance through his Advocate who sought time on 15th February, 2016 and 2nd March, 2016 and then none appeared for him on 25th April, 2016, 20th June, 2016 and 11th July, 2016 when the petition was

decided. In the application there is no explanation why the original respondent / judgment debtor or his Advocate were not present on the above dates. In these facts, the contention of the respondent / judgment debtor that he is not granted hearing cannot be accepted.

The review of the judgment is sought on the general ground that there is error apparent on the face of record, without pointing out the alleged error.

In the above facts, I find that there is no substance in the application. It is **dismissed** with costs quantified at Rs.25,000/- to be paid by the original respondent / judgment debtor to the petitioner / decree holder within one month.

JUDGE