

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

**REVIEW APPLICATION (CIVIL) NO. 62 OF 2018
IN
FIRST APPEAL NO. 416 OF 2000**

M/s Landmark Developers & ors.

Applicants.

Versus

City Industrial Development Corp.
Aurangabad and anr.

Respondents.

Mr. U.M. Bopshetty, Advocate holding for
Mr. S.S. Koranne, Advocate for the applicant.

Mr. A.S. Bajaj, Advocate for respondent No.1.

Mr. Y.G. Gujarathi, A.G.P. for the State/respondent No.2.

CORAM : **T.V. NALAWADE &
SUNIL K. KOTWAL, JJ.**

Dated : 16th April, 2018.

ORDER :-

. The Application is filed for review of the decision given by this Court in Civil Application No. 13900/2016 which was filed in First Appeal No. 416/2000. This matter and other matters are decided by this Court by common judgment dated 13.02.2018. Both the sides are heard.

2. It is the contention of the present applicants, who include Sunil Jethliya, ex-partner of M/s. Landmark Developers, that he had already retired from the Partnership Business and that was done after Madhur Jethlia entered as a partner of M/s Landmark Developers. He has filed affidavit in that regard. Amendment is made to show that the partnership concern M/s. Landmark Developers was being represented by Lata Jethlia and Madhur Jethlia and not by Sunil Jethliya. Accordingly, submission is made that Civil Application No. 13900/2016 ought to have been allowed to that extent and permission ought to have been granted to make amendment in the title clause of First Appeal No. 416/2000. On the basis of the record and on the basis of the submissions, this Court holds that it must have due to oversight all the proceedings are shown to be disposed of. In view of the prayer made and when there is no dispute amongst the aforesaid three persons, the application could have been allowed. So, to that extent Review Application is allowed. Civil Application No.13900/2016 stands allowed. Amendment to be made in the title clause of the Appeal Memo to show that Lata Jethliya and Madhur Jethliya were representing M/s Landmark Developers and not Sunil Jethliya. In those terms the Application is allowed and disposed of.

(SUNIL K. KOTWAL)
JUDGE

(T.V. NALAWADE)
JUDGE

vdd/