

Sharayu Khot.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

LETTER PATENT APPEAL NO. 174 OF 2013

IN

WRIT PETITION NO. 7625 OF 2012

WITH

CIVIL APPLICATION NO. 278 OF 2013

IN

LETTER PATENT APPEAL NO. 174 OF 2013

IN

WRIT PETITION NO. 7625 OF 2012

Shri Savari Muthu James

...Appellant

Versus

M/s. Relene Petrochemical Ltd.

...Respondents

WITH

LETTER PATENT APPEAL NO. 175 OF 2013

IN

WRIT PETITION NO. 7693 OF 2012

WITH

CIVIL APPLICATION NO. 279 OF 2013

IN

LETTER PATENT APPEAL NO. 175 OF 2013

WITH

LETTER PATENT APPEAL NO. 176 OF 2013

IN

WRIT PETITION NO. 7691 OF 2012

WITH

CIVIL APPLICATION NO. 280 OF 2013

IN

LETTER PATENT APPEAL NO. 176 OF 2013

WITH

LETTER PATENT APPEAL NO. 177 OF 2013

IN

WRIT PETITION NO. 8360 OF 2012

WITH

CIVIL APPLICATION NO. 281 OF 2013

IN

LETTER PATENT APPEAL NO. 177 OF 2013

WITH

LETTER PATENT APPEAL NO. 178 OF 2013

IN

WRIT PETITION NO. 9061 OF 2012

WITH

LETTER PATENT APPEAL NO. 179 OF 2013

IN

WRIT PETITION NO. 7681 OF 2012

WITH

LETTER PATENT APPEAL NO. 180 OF 2013

IN

WRIT PETITION NO. 7685 OF 2012

WITH

CIVIL APPLICATION NO. 282 OF 2013
IN
LETTER PATENT APPEAL NO. 180 OF 2013
WITH
LETTER PATENT APPEAL NO. 182 OF 2013
IN
WRIT PETITION NO. 7684 OF 2012
WITH
CIVIL APPLICATION NO. 284 OF 2013
IN
LETTER PATENT APPEAL NO. 182 OF 2013
WITH
LETTER PATENT APPEAL NO. 183 OF 2013
IN
WRIT PETITION NO. 7686 OF 2012
WITH
CIVIL APPLICATION NO. 285 OF 2013
IN
LETTER PATENT APPEAL NO. 183 OF 2013
WITH
LETTER PATENT APPEAL NO. 184 OF 2013
IN
WRIT PETITION NO. 7692 OF 2012
WITH
CIVIL APPLICATION NO. 286 OF 2013
IN
LETTER PATENT APPEAL NO. 184 OF 2013
WITH

LETTER PATENT APPEAL NO. 185 OF 2013

IN

WRIT PETITION NO. 7690 OF 2012

WITH

CIVIL APPLICATION NO. 287 OF 2013

IN

LETTER PATENT APPEAL NO. 185 OF 2013

WITH

LETTER PATENT APPEAL NO. 186 OF 2013

IN

WRIT PETITION NO. 7688 OF 2012

WITH

CIVIL APPLICATION NO. 288 OF 2013

IN

LETTER PATENT APPEAL NO. 186 OF 2013

WITH

LETTER PATENT APPEAL NO. 187 OF 2013

IN

WRIT PETITION NO. 7680 OF 2012

WITH

CIVIL APPLICATION NO. 289 OF 2013

IN

LETTER PATENT APPEAL NO. 187 OF 2013

WITH

LETTER PATENT APPEAL NO. 188 OF 2013

IN

WRIT PETITION NO. 8361 OF 2012

WITH

CIVIL APPLICATION NO. 290 OF 2013
IN
LETTER PATENT APPEAL NO. 188 OF 2013
WITH
LETTER PATENT APPEAL NO. 189 OF 2013
IN
WRIT PETITION NO. 7689 OF 2012
WITH
CIVIL APPLICATION NO. 291 OF 2013
IN
LETTER PATENT APPEAL NO. 189 OF 2013
WITH
LETTER PATENT APPEAL NO. 190 OF 2013
IN
WRIT PETITION NO. 7663 OF 2012
WITH
CIVIL APPLICATION NO. 292 OF 2013
IN
LETTER PATENT APPEAL NO. 190 OF 2013
WITH
LETTER PATENT APPEAL NO. 191 OF 2013
IN
WRIT PETITION NO. 7687 OF 2012
WITH
CIVIL APPLICATION NO. 4 OF 2018
IN
LETTER PATENT APPEAL NO. 181 OF 2013
IN

WRIT PETITION NO. 7682 OF 2012

Mr. Atul G. Damle, Senior Counsel, i/by Mr. Suresh M. Sabrad,
for the Petitioners/Applicants.

Mr. Kiran S. Bapat, with Ms. M. D'Souza i/by A.S. Dayal &
Associates, for the Respondent.

**CORAM : B.R. GAVAI &
RIYAZ I. CHAGLA, JJ.**

DATE : 27 November 2018

ORDER :

1. Perusal of the judgment and order passed by the learned Single Judge would clearly reveal that though the Petitioners purportedly filed Writ Petition under Article 226 of the Constitution of India, the jurisdiction which has been exercised by the learned Single Judge has been exercised under Article 227 of the Constitution of India.

2. In that view of the matter and considering the law

laid down by the larger Bench of this Court in the case of *Advani Oerlikon Ltd. Vs. Machindra Govind Makasare & Ors.*¹, these Letter Patent Appeals are not tenable.

3. All the Appeals are therefore, dismissed on the ground of tenability.

[RIYAZ I. CHAGLA J.]

[B.R. GAVAI, J.]

¹ 2011(2) Mh.L.J. 916