

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4549 OF 2019
(Kazi Mushrafuddin s/o Kazi Nooruddin Vs. Shaikh Akhtar s/o
Shaikh Alam and others)

Mr.M.A.Khan, Advocate for the petitioner.
Mr.U.A.Bhadgaonkar, Advocate for respondent No.1.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 12/07/2019

PER COURT :

1. The petitioner/defendant No.1 is aggrieved by the order dated 11/02/2019 passed by the Trial Court below Exh.108 in RCS No.187/2010, rejecting the application filed for seeking review of an earlier order dated 02/09/2016 passed by the same Court. The Trial Court has observed that the petitioner can prefer an application under Order 47 Rule 3 of the CPC, which is the provision under which such an application could be filed.
2. The learned Advocate for the petitioner has strenuously criticized the impugned order.
3. I, however, do not find that the impugned order could be

termed as being perverse or erroneous and more so, when the petitioner is permitted to avail of a remedy as is permissible in Law.

4. Considering the above, this petition, being devoid of merit, is therefore, dismissed.

(Ravindra V.Ghuge, J.)