

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

**REVIEW APPLICATION NO. 1 OF 2019
IN
CIVIL APPLICATION NO. 180 OF 2018
IN
FAMILY COURT APPEAL NO. 197 OF 2015**

Joy Anthony Payapply .. Review Applicant
Vs.
Eureka D/O. Alfred Baptista .. Respondent

**WITH
REVIEW APPLICATION NO. 2 OF 2019
IN
CIVIL APPLICATION NO. 337 OF 2018
IN
FAMILY COURT APPEAL NO. 197 OF 2015**

Agnes Payapply .. Applicant

In the matter between :

Joy Anthony Payapply .. Applicant
Vs.
Eureka D/O. Alfred Baptista .. Respondent

**WITH
REVIEW APPLICATION NO. 3 OF 2019
IN
CIVIL APPLICATION NO. 290 OF 2018
IN
FAMILY COURT APPEAL NO. 197 OF 2015**

Joy Anthony Payapply .. Applicant
Vs.
Eureka D/O. Alfred Baptista .. Respondent

Mr.Partha S. Sarkar with Nilesh Ojha, Vijay Kurle, Nicky Polkar, Rahul Tiwari, M.Jain, Shivendra Saha with Abhishek Mishra for the applicants in Civil Application and for the Petitioners in review application
Ms. Pinky M. Bhansali for the Respondent

**CORAM : K.K. TATED &
N.J. JAMADAR, JJ.**

DATE : 9TH AUGUST 2019

**ORDER ON APPLICATION-CUM-PRAECIPE DATED
29TH JUNE 2019**

P.C.

1 Heard Shri Partha Sarkar, the learned counsel for the review applicants.

2 This application-cum-praecipe dated 25th June 2019 is preferred by the learned counsel for the review applicants requesting the Members of this Bench to recuse themselves from deciding the review applications on the ground that a complaint is made, *inter-alia*, against the Members of this Bench in respect of passing of the orders sought to be reviewed.

3 The orders, review of which is sought, have been passed by this Bench. Since the Judges who constitute the Bench which passed the orders, review of which is sought, are presiding over the Courts at principal seat at Bombay, by law, the review applications are required to be heard and decided by the same Judges.

4 The instant application is made by Advocate Shri

Partha Sarkar. The application is not by the review applicants. Nor the review applicants have sworn an affidavit in support of the application.

5 The device of seeking recusal by the Judges on the count that a complaint is made against the Judges, post passing of the order, sought to be reviewed, and thereby seeking rehearing before a different Bench has the potential to severely impair the administration of justice.

6 In view of the above, we do not find any justifiable ground to recuse ourselves from hearing and deciding the review applications.

7 The application made by Advocate Shri Partha Sarkar, thus, stands rejected.

[N.J. JAMADAR, J.]

[K.K. TATED, J.]