

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

REVIEW PETITION NO.2 of 2019
IN
FIRST APPEAL NO.2307 OF 2008
WITH
CIVIL APPLICATION NO. 219 OF 2019
IN
REVIEW PETITION NO.2 of 2019

Meena Ramesh Dewadiga

..Petitioner

v/s.

Piloo D. Broacha & Ors.

..Respondents

Mr. Sachin Kankal for the Applicant/Appellant

Mr. Satyan Vaishnav a/w. Ms. Nupur J. Mukherjee I/b. Ms.
N.N.Vaishnawa & Co. for the Respondent.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 11th SEPTEMBER, 2019.**

P.C.

1. The petitioner herein has sought review of the judgment dated 3.12.2018 passed by this Court in First Appeal No. 2307 of 2008.
2. Heard the learned Counsel for the Petitioner and the learned Counsel for the respondent. I have perused the records, particularly the judgment which is sought to be reviewed in this review petition.

3. A perusal of the application itself indicates that the petitioner herein is seeking to challenge the judgment passed by this Court in the First Appeal. The grounds raised in the review petition also indicate that under the garb of review, the applicant has in fact challenged the judgment on merits of the matter. The learned Counsel for the petitioner contends that while disposing of the First Appeal, this Court did not consider the fact that the judgment relied upon by the respondents herein were not relevant to decide the issue. He further submits that this Court has also not considered the fact that the substantive suit filed before the Small Causes Court was pending for final hearing and that the suit filed by the respondent was itself not maintainable. Suffice it to say that the grounds urged by the learned Counsel for the petitioner do not come within the ambit of review. The review petition is devoid of merits. The same is dismissed.

4. Civil application stands disposed of in view of dismissal of the review petition.

Prasanna
P.
Salgaonkar

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(ANUJA PRABHUDESSAI, J.)