

psv

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

**CIVIL APPLICATION NO.119 OF 2019
WITH
REVIEW PETITION NO.2 OF 2017
IN
APPEAL FROM ORDER NO. 282 OF 2017**

Mrs.Sarina Esmeralda Lopez	Applicant
V/s.	
Mohini Vijay Kalantri & Anr.	..Respondents

Applicant in person.
Mr.Vedchetan Patil for Respondent No.1.

CORAM : G.S. KULKARNI, J.

DATE : 20th NOVEMBER, 2019

P.C.:

Heard the applicant in person.

2. The prayers in the application primarily are seeking review of the order dated 24 April 2017 passed by this Court whereby the review petition filed by the petitioner therein namely Mohini Vijay Kalantri against the Municipal Corporation and the present applicant, was partly allowed in the following terms:-

- “(i) Order dated 5 December 2016 is modified to the extent that the observations in paragraph 7 pertaining to the withdrawal of L.C. Suit No.2336 of 2014 pending before the City Civil Court at Bombay are set aside.
- (ii) L.C. Suit No. 2336 pf 2014 filed in the City Civil Court at Bombay is restored and be heard and decided finally on its own merits.
- (iii) Review petition is partly allowed in the above terms.
- (iv) No costs.”

3. Having perused the civil application, the order dated 24 April 2017 and having considered the submissions made by the applicant who appears in person, I do not see any error on the face of the order. The effect of the order is that the suit is restored. The applicant has already been impleaded as a party in the suit. All contentions which the applicant intends to urge, can be urged in the suit before the City Civil Court. There is no merit in this application. It is accordingly dismissed, however keeping all contentions of the applicant open to be urged in the pending suit.

[G.S. KULKARNI, J.]