

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

**REVIEW PETITION NO. 88 OF 2018
IN
FIRST APPEAL NO. 1432 OF 2012**

Ashok Kallappa Lambe

....Petitioner

V/s.

Hutatma Sahakari Bank Ltd. and anr.

....Respondents

Mr. Dilip Bodake a/w. Mr. Sharad Bhosale for the petitioner.

Mr. Rajesh S. Datar for respondent no.2.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : 19th AUGUST, 2019

P.C.:-

. The petitioner seeks review of the judgment dated 20/02/2014 whereby this Court had dismissed the First Appeal No.1432 of 2012 filed by the petitioner herein.

2. The petitioner had filed a suit challenging the action of the respondent – Bank for selling the suit property vide Deed of Conveyance dated 26/10/2007 after following due procedure under SARFAESI Act.

3. The Trial Court had dismissed the suit for want of jurisdiction in view of section 34 of the SARFAESI Act. Aggrieved by the judgment,

the petitioner had filed the First Appeal No.1432 of 2012 which was dismissed by this Court on 20/02/2014 after hearing both the parties.

4. The petitioner seeks review of this judgment on various grounds enumerated in paragraph 9(a) to 9(k) of the petition. From a plain reading of these grounds would indicate that the review is not sought on the ground of a patent error or an error apparent on the face of the records but it is apparent that the petitioner is in fact seeking to re-argue the case on merits. The petition is beyond the scope of Order 47 Rule 1 of the Civil Procedure Code. The petition has no merits and is accordingly dismissed.

Preeti H.
Jayani

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(SMT. ANUJA PRABHUDESSAI, J.)