

Sequeira

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

*REVIEW PETITION NO. 17 OF 2016
IN
SECOND APPEAL NO. 227 OF 2014*

Mr.Nandu Namdev Bhosale

... Petitioner /
Appellant

V/s.

Commissioner of Pimpri Chinchwad
Municipal Corporation, Pune and others

... Respondents.

Mr.Vasant Raut, for the Petitioner.
None for Respondents.

*CORAM : N.M. Jamdar, J.
Date : 25 July, 2019.*

P.C. :-

The Review Petitioner has sought review of the order dated 28 June 2016 passed in Second Appeal. The Second Appeal challenging the concurrent judgment and orders passed by the Trial Court and Appellate Court was dismissed.

2. The suit was filed by the Review Petitioner seeking an order of injunction. According to Petitioner the authorities of the Municipal Corporation were trying to dispossess the Appellant even

though he was lawfully entitled to occupy. Both the Courts on assessment of evidence found that the Appellant had not shown his right to the premises. The review is sought on the ground that there were certain documents which were admitted in the Written Statement. The Petition also refers to an application filed. These documents have been considered by both the Courts. Courts have held that the Appellant was trying to take advantage of similarity of names. Considering these aspects the Appeal was dismissed. The review is nothing but an attempt of rehearing the matter. Grounds raised in the review do not fall within the parameters of review jurisdiction. The Appellant has his own remedies of challenging the order under review if he so desires. Review Petition is accordingly rejected.

(N.M. Jamdar, J.)