

DDR

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

**REVIEW PETITION NO. 176 OF 2018
IN
CIVIL APPLICATION NO. 272 OF 2016
IN
WRIT PETITION NO. 4949 OF 2015**

Dyaneshwar Mahadev Gogawale & ors. ..Petitioners

Vs.

Yamai Devi Trust & ors. ..Respondents

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Shri K.S. Dewal a/w.Roshan S. Tanna for petitioners/applicants.
Mrs. M.P. Thakur, AGP for State.

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**CORAM : S.C. DHARMADHIKARI &
M.S. KARNIK, JJ.**

DATE : 27th JUNE, 2019.

P.C.:-

Having heard Shri Dewal, appearing on behalf of the review petitioner and perusing the order under review, we do not find that we can revisit the factual findings in paragraph 8 of the order under review (running page 14 of the paper book) and particularly highlighted by Shri Dewal. That factual finding takes note of the contents of the documents such as

vakalatnamas placed on record. However, the view taken is not as pressed before us by Shri Dewal. Surely when such is the position, Review is not the remedy. We cannot, in the garb of review, revisit all the factual findings in the order under review. That would mean we are a Appellate or Revisional Court, we are neither.

2. In the circumstances, we cannot entertain the Review Petition and is dismissed. There shall be no order as to costs.

(M.S. KARNIK, J.)

(S.C. DHARMADHIKARI, J.)