

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION (ST.) NO.36921 OF 2018
IN
CIVIL REVISION APPLICATION NO.130 OF 2018

Aruna Chandrakant Rajmane (decd) through heirs ... Petitioners
Vs.
Kokila Chandrakant Vora and another ... Respondents

Mr. A. B. Tajane for Petitioners.
Mr. T. D. Deshmukh for Respondents.

CORAM : R. G. KETKAR, J.
DATE : JULY 30, 2019

P.C. :

Heard Mr. Tajane, learned Counsel for the petitioners and Mr. Deshmukh, learned Counsel for the respondents.

2. By consent, Review Petition is taken up for admission.
3. By this Petition under Section 114 read with Order XLVII, Rule 1 of the Code of Civil Procedure, 1908 (for short 'C.P.C.'), petitioner has sought review of the order dated 12.07.2018 passed by this Court in Civil Revision Application No.130 of 2018.
4. In support of this Petition, Mr. Tajane has invited my attention to paragraph 4 of that order. Paragraph 4 recorded that Mr. Kursija tendered calculations of the amount payable @ Rs.5,000/- per month, which included the payment of municipal taxes as per the impugned order. The same was taken on record. In paragraph 5, it was recorded that Mr. Kursija has handed over cheque in the sum of Rs.33,436/- in the name of respondent No.3-Sharad Bapurao Tandale and Advocate appearing for the respondents acknowledging the same. In paragraph 6,

it was noted that “the undertaking furnished by the applicants is accepted as the amount of arrears of rent inclusive of municipal taxes is paid by way of cheque, no further orders are necessary.”

4. Mr. Tajane submitted that the calculations of the amount payable @ Rs.5,000/- per month tendered by the other side was not correct. It is not possible to accept this submission as the Advocate appearing for the petitioner had accepted the correctness of the calculations. In other words, it cannot be said that the order under review suffers from any error apparent on the face of record. Hence, no case is made out for reviewing the order. Review Petition fails and the same is dismissed.

(R. G. KETKAR, J.)

Minal Parab