

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.186 OF 2019
IN
REVIEW PETITION (L) NO.64 OF 2015
IN
APPEAL NO.430 OF 2015
IN
SUMMONS FOR JUDGMENT NO.41 OF 2013
IN
SUMMARY SUIT NO.487 OF 2013

M/s Polycab India Ltd. ... Applicant

In the Matter Between :-

M/s Polycab India Ltd. ... Petitioner

Versus

M/s Nagarjuna Oil Corporation Ltd. ... Respondent

WITH
REVIEW PETITION (L) NO.64 OF 2015
IN
APPEAL NO.430 OF 2015
IN
SUMMONS FOR JUDGMENT NO.41 OF 2013
IN
SUMMARY SUIT NO.487 OF 2013

M/s Polycab Wires Pvt. Ltd. ... Appellant

Versus

M/s Nagarjuna Oil Corporation Ltd. ... Respondent

Mr.Ramesh K.Tiwari i/b Bagla and
Associates for the Applicant/Appellant.

CORAM :- S. C. DHARMADHIKARI &
B.P.COLABAWALLA, JJ.

DATE :- JULY 26, 2019

P.C. :-

1. Though no notice has been issued to the other side on the Notice of Motion seeking condonation of delay of 123 days in filing this review petition, in the interest of justice, the delay is condoned. Notice of Motion stands disposed of accordingly.
2. We have heard the learned advocate on the merits of the review petition.
3. The review petition seeks review of an order dated 27th July, 2015 in the Appeal (L) No.329 of 2015. The appeal is dismissed as not maintainable in the light of the full bench judgment of this Court.
4. We have perused the review petition. There are no grounds set out which would enable us to exercise our review jurisdiction. It is, therefore, clear that the review petition is not maintainable. The consequences of the order of Division Bench is the foundation on which, the review is sought.
5. We do not think that such a course is permissible insofar as review jurisdiction is concerned. That is to be exercised sparingly and in exceptional circumstances.
6. We do not find any merit in the review petition. It is dismissed as such.

(B.P.COLABAWALLA, J.)

(S.C.DHARMADHIKARI, J.)