

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**CIVIL APPLICATION (CAW) NO.1876 OF 2018**  
**IN**  
**WRIT PETITION NO.248 OF 2009 (D)**

(M/s Anil Scrap Industries Private Limited Vs. Union of India thr. Secretary, Ministry  
of Finance Govt. of India, New Delhi and another)

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.*

*Court's or Judge's orders.*

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Shri A.H. Lohiya, Advocate for Petitioner.  
Shri V.K. Paliwal, Advocate for Respondent No.2.

**CORAM: SUNIL B. SHUKRE AND**  
**ROHIT B. DEO, JJ.**

**DATE: 5<sup>th</sup> NOVEMBER, 2019.**

Heard.

By this application virtually review of the order passed by this Court on 02.11.2017 has been sought on the spacious ground that even though the point was raised in the Civil Application (CAW) No.1317/2011 that the Securitization Act did apply to the Cooperative Bank or Multi-State Cooperative Bank, it was not considered by this Court. However, upon perusal of the order dated 02.11.2017, it is noticed that this Court had considered a fact which constituted foundation of the said contention of the applicant. A finding has been recorded that the applicant was aware of pendency of the petition and yet it did not take any step to intervene in the matter so that the grievance could be appropriately heard and addressed by this Court. It has also been found by this Court that the

original petition was filed way back in the year 2009 which was pending for considerable period of time. Considering all these facts and also the conduct of this applicant, this Court did not deem fit to entertain the Civil Application (CAW) No.1317/2011 and accordingly, rejected the application by the order passed on 02.11.2017. This would only show that the applicant had the opportunity to agitate the issue but the applicant allowed it to go waste. The order dated 02.11.2017 could have been challenged by the applicant but it was not. In the circumstances, we find that no case for reviewing the order dated 02.11.2017 has been made.

The application stands dismissed.

**JUDGE**

**JUDGE**