

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

**CIVIL APPLICATION (O) NO.1022 of 2019**  
**IN**  
**MISC. CIVIL APPLICATION ST. NO. 26672 OF 2018**  
**IN**  
**SECOND APPEAL NO. 410/2017**  
Varsha Kishor Turke and anr  
Vs.  
Lilabai Ambadas Turke

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Shri Anjan De, Advocate for applicant/appellants.

**CORAM :- A.S.CHANDURKAR, J.**  
**DATED :- 25.06.2021**

Heard Shri De, learned counsel for the applicant. It is his submission that the question as to whether the provisions of Section 11 of Civil Procedure Code, 1908, were applicable so as to question the legality of the judgment in R.C.A. No. 18/2012 having not been considered in the Second Appeal, there was an error apparent on the face of record.

Perusal of the order passed in Second Appeal No. 410/2017 indicates that whatever was urged by the learned counsel for the appellant was reproduced and was thereafter considered. It is not stated in the application that the question with regard to applicability of Section 11 of the Code was argued, but was not considered. Moreover, it is to be noted that the learned counsel now appearing for the review applicant had not appeared in the Second Appeal.

In that view of the matter, I do not find any error apparent on the face of record to invoke the review jurisdiction. The applications are accordingly dismissed.

**JUDGE**

*Rvjalit*