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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION NO.96 OF 2022
IN
WRIT PETITION NO.2875 OF 2021**

Nathoo Lalji Charity Trust Petitioner.

In the matter between
Nathoo Lalji Charity TrustPetitioner
V/s

Rachana Apartment
Co-operative Housing Society Ltd.
& Others Respondents.

**WITH
REVIEW PETITION NO.97 OF 2022
IN
WRIT PETITION NO.2902 OF 2021**

Nathoo Lalji Charity Trust Petitioner.

In the matter between
Nathoo Lalji Charity TrustPetitioner
V/s

Anu Co-operative Hsg. Society Ltd
and Others Respondnts.

**WITH
REVIEW PETITION NO.104 OF 2022
IN
WRIT PETITIO NO.2900 OF 2021**

Nathoo Lalji Charity Trust Petitioner.

In the matter between
Nathoo Lalji Charity TrustPetitioner

V/s
New Hill View Co-op. Hsg. Society
Limited and others Respondents.

**WITH
REVIEW PETITION NO.102 OF 2022
IN
WRIT PETITIO NO.2913 OF 2021**

Nathoo Lalji Charity Trust Petitioner.

In the matter between
Nathoo Lalji Charity TrustPetitioner
V/s
Aasara Co-operative Hsg. Society Ltd. & OrsRespondents

**WITH
REVIEW PETITION NO.101 OF 2022
IN
WRIT PETTIO NO.2909 OF 2021**

Nathoo Lalji Charity Trust Petitioner.

In the matter between
Nathoo Lalji Charity TrustPetitioner
V/s
Viraj Co-operative Hsg. Society Ltd. & Ors.Respondents.

**WITH
REVIEW PETITION NO.100 OF 2022
IN
WRIT PETTIO NO.2901 OF 2021**

Nathoo Lalji Charity Trust Petitioner.

In the matter between
Nathoo Lalji Charity TrustPetitioner
V/s

Shri Mahaveer Jyot Co-operative Hsg.
Society Ltd. & Ors.

.... Respondents.

**WITH
REVIEW PETITION NO.103 OF 2022
IN
WRIT PETITION NO.2904 OF 2021**

Nathoo Lalji Charity Trust

.... Petitioner.

In the matter between
Nathoo Lalji Charity Trust
V/s

....Petitioner

New Mahavir Jyot Co-operative
Hsg. Society Ltd and Ors.

.... Respondents

**WITH
REVIEW PETITION NO.98 OF 2022
IN
WRIT PETITION NO.2912 OF 2021**

Nathoo Lalji Charity Trust

.... Petitioner.

In the matter between
Nathoo Lalji Charity Trust
V/s

....Petitioner

Jai Mahavit Jyot Co-operative Hsg. Society
Ltd and Others

.... Respondents.

**WITH
REVIEW PETITION NO.99 OF 2022
IN
WRIT PETITION NO.2916 OF 2021**

Nathoo Lalji Charity Trust

.... Petitioner.

In the matter between

Nathoo Lalji Charity Trust

....Petitioner

V/s

Lotus Co-operative Hsg. Society
Ltd. & Ors.

.... Respondents.

Mr. Girish Godbole with Mr. Ankit Lohia and Yash Momaya a/w Ms. Tarun Nagpal i/b DSK Legal for the Petitioner in all the above Review Petitions.

Smt. V.S. Nimbalkar, AGP for the Respondents/State.

CORAM: NITIN W. SAMBRE, J.

DATE: NOVEMBER 22, 2022

PC.:-

1] Review Petition No.99 of 2022 is not on board. By consent of parties, same is taken on board.

2] All these Review Petitions can be conveniently disposed of by this common order.

3] On 26/07/2022, this Court has granted Rule and rejected interim relief. Subject matter of the Petitions is the impugned order dated 12/03/2020 passed under Section 11 of the MOFA, 1963 and the Certificate of Conveyance issued in compliance thereof on 12/3/2020. A further direction is sought that the Deed of Conveyance

dated 30/07/2020 be ordered to be cancelled with restraint order not to act upon the said Certificate dated 12/3/2020 and Deed of Conveyance dated 30/07/2020. Petitioners have also prayed for interim relief in the said matter.

4] Considering the nature of relief canvassed and having regard to the settled position of law in the matter of *Mazda Construction Company vs. Sultanabad Darshan CHS Ltd* reported in **2012 SCC OnLine Bom 1266**, this Court has refused to grant interim relief, as *prima facie* this Court was of the opinion that the case for interim relief was not made out in view of registration of the deemed conveyance. Review of the aforesaid order is sought on common grounds viz. Petitioners were not served with the notice at proper address, Trustees were not joined as parties and litigation letter as required under Section 11 of the MOFA, 1963 was falsely submitted.

5] I have appreciated aforesaid submissions made by Mr. Godbole, learned Counsel appearing on behalf of the Review Petitioners.

6] Fact remains that remedy of review under review jurisdiction is confined strictly to the errors apparent on the face of record. Scope for exercise of powers by the High Court while dealing with and deciding Review Petition is very limited. It is not open for this Court to re-appreciate the evidence. Based on material on record, this Court has found that case for grant of interim relief was not made out. As such, having regard to the scope of review jurisdiction, law laid down by the Division Bench of this Court in the matter of *Mazda Construction Company*, cited supra, this Court is of the view that no case for ordering review of the interim order is made out.

7] Review Petitions as such lack merit and same stand dismissed.

[NITIN W. SAMBRE, J.]