

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

CIVIL APPLICATION (CAO) NO. 497 OF 2022

IN

SECOND APPEAL NO. 599 OF 2018

Badrilal Mohanlal Vyas

Vs.

Municipal Corporation of the City of Amravati and Ors.

AND

CIVIL APPLICATION (CAO) NO. 498 OF 2022

IN

SECOND APPEAL NO. 570 OF 2018

Badrilal Mohanlal Vyas

Vs.

Municipal Corporation of the City of Amravati and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Akshay Sudame, Advocate for petitioner in both
applications.

CORAM : MANISH PITALE J.

DATE : 13.07.2022.

By these applications, the applicants are seeking condonation of delay of 55 days in filing the accompanying review application. For the reason stated in the applications, the same are allowed and the delay is condoned in filing the review applications.

**Mis. Civil (Review) Application (ST) Nos.9125 OF
2022 & 9119 OF 2022**

These two review applications have been filed by the applicant seeking review of common order dated 22.03.2022 passed by this Court in Second Appeal Nos. 570/2018 and 599/2018.

2. It is the contention of the review applicant that entire facts were not brought to the notice of this Court when the aforesaid order was passed disposing of the appeals. It is claimed that, if the order passed by this Court is implemented, the applicant would be put to loss, in the backdrop of an agreement of Built Operate Transfer (BOT) executed between the applicant and the respondent – Municipal Corporation for constructing the mall, in which the disputing parties were to be allotted shops on the ground floor and the first floor.

3. It is contended that there is no shop No.8A in existence, which has found mention in the order of this Court.

4. Reference is also made to the clauses of the aforesaid agreement executed between the

applicant and respondent – Municipal Corporation particularly, Clauses 24 and 25 thereof.

5. Issue notice in both the review applications for final disposal, returnable on **12.08.2022.**

JUDGE