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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11515 OF 2019

Kasturi Foundry Pvt. Ltd. Co. Thru Managing ... Petitioner
Director, Nitin Premraj Zavar

vs.

Maharashtra State Electrical Board Co. Ltd thru ... Respondents
Superintendent, Sangli

Mr. S.S. Redekar, for the Petitioner.

CORAM : GAURI GODSE, J.

DATED : 13th APRIL, 2023

P.C. :-

1. This Petition is filed to challenge the Order dated 31st March 2018 passed by Learned Civil Judge, Senior Division, Islampur, in Review Application No.01 of 2017. The Review Application was filed by the Petitioner to challenge the Order allowing the Application under Order VII, Rule 11(d) of the Civil Procedure Code, 1908. In view of the said Order, the Complaint of the Petitioner is rejected. The said Order passed under Order 7 Rule 11, rejecting the Complaint, is an appealable order.

2. The said Order has been sought to be reviewed by the Petitioner by filing Review Application. By the impugned order, the Application for Review has been rejected by observing that no ground for review has been made out.

3. I do not find any fault in the order, thereby rejecting the Review Application. So far as the Order rejecting the Plaint is concerned, it is open for the Petitioner to challenge the same by filing an Appeal.

4. The learned counsel appearing for the Petitioner states that the Appeal against the Order dated 27th February 2017, thereby rejecting the Plaint, is not yet filed. He, therefore, submits that the remedy of filing an Appeal be kept open, in the event order rejecting the Review Petition is to be confirmed. In my view, rejection of the Review Application is not an impediment to the Petitioner to filing an appropriate Appeal against the rejection of the plaint. That remedy is always available to the Petitioner.

5. I do not find any reason to interfere with the impugned Order. Writ Petition is therefore rejected.

(GAURI GODSE, J.)