



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

WRIT PETITION NO.5366 OF 2023

(Smt. Kamlabai wd/o Marotraoji Mahadule and others Vs. Shobharam Kisanji
Gavhane (dead) thr. LRs. Omprakash s/o Shobharamji Gavhane)

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

Court's or Judge's orders.

Mr. C. F. Bhagwani, Advocate for Petitioners.

CORAM: ANIL S KILOR, J.

DATE: 31st AUGUST, 2023.

The application moved for review of the order passed below Exh.22 dated 04.03.2021 by Civil Judge, Junior Division, Ramtek rejecting the objection raised by judgment debtor under Section 47 of the Code of Civil Procedure, came to be rejected on the ground that the review is sought on the basis of the measurement which was carried out on 22.12.2017 that is after the judgment and decree passed in Regular Civil Suit No.15/2005 and in Civil Appeal No.710/2012 and since the said measurement report was not on record before the Trial Court of the first Appellate Court, the review application cannot be considered and accordingly it was rejected.

Considering the reasons recorded by the learned Executing Court while rejecting the review application. I do not find any error committed by the learned Executing Court. Accordingly, the writ petition is dismissed.

(ANIL S. KILOR, J.)