

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

MCA No.155/2023 in Writ Petition No.1884/2019 (D)

Sudhir Cooperative Housing Society V Sharada and others

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

Court's or Judge's Orders

Mr. V.G. Bhamburkar, Adv for petitioner.

Mr. Rohan Malviya, Adv for resp. No1.

CORAM : AVINASH G GHAROTE, J.

DATE : 13-02-2023

The application seeks review of the Order dated 22-8-22 on the ground that the documents, annexed to with the R and P has not been considered. It is contended that the dispute was beyond limitation and the respondent, was liable to pay a rate of Rs 70 per sq.ft. instead of Rs 2.5, which he had deposited as per the resolution of year 1980.

2. Once it is contended that the R and P of the learned Cooperative Court will have to be looked into and the documents filed therein to be reconsidered, that obviously is a plea which could not fall within the parameters of review under Section 114 of the CPC as what is being in fact called to be done is a rehearing of the matter which

is not permissible considering which I am not inclined to accept the application, hence the same is dismissed. No costs.

JUDGE

Deshmukh