

## HIGH COURT FOR THE STATE OF TELANGANA

**MAIN CASE No: Civil Revision Petition No.1750 of 2023**

### PROCEEDING SHEET

| S. No. | DATE       | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | OFFICE NOTE |
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|        | 16.02.2024 | <p><b><u>CJ &amp; TVK, J</u></b></p> <p style="text-align: center;"><b><u>I.A.No.2 of 2023</u></b></p> <p>Mr. R.Ranganathan, learned counsel for the petitioners.</p> <p>Heard on I.A.No.2 of 2023.</p> <p>This petition has been filed seeking review of the order dated 02.08.2023, passed by this Court in C.R.P.No.1750 of 2023, by which an order dated 02.06.2023, passed by the Commercial Court, upholding the rejection of an application under Order VII Rule 11 of the Code of Civil Procedure, 1908 (CPC), has been upheld.</p> <p>Learned counsel for the petitioners submitted that on account of typographical error in the 7<sup>th</sup> line of paragraph 5 of the order dated 02.08.2023, instead of the word 'narrowly', the word 'broadly' has been typed. It is further submitted that the said order suffers from patent illegality.</p> <p>We have considered the submission made by learned counsel for the petitioners and have perused the record.</p> <p>The word 'broadly' has been typed on</p> |             |

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|  |  | <p>account of typing error. Therefore, the same is directed to be substituted by the word ‘narrowly’.</p> <p>The scope of review is well settled by a catena of decisions of the Supreme Court. The order dated 02.08.2023, neither suffers from any jurisdictional infirmity nor any error apparent on the face of the record warranting interference of this Court in exercise of review jurisdiction.</p> <p>In the result, the review petition fails and is hereby dismissed.</p> <p>However, it is clarified that the same shall not preclude the petitioners from agitating the issue of maintainability of the suit in the written statement filed in the proceeding before the Commercial Court, if so advised.</p> <p style="text-align: right;"><hr/>CJ (AAJ)</p> <p style="text-align: right;"><hr/>TVK, J</p> <p>LUR/MYK</p> |  |
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