

Ajay

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

**REVIEW PETITION NO. 145 OF 2025
IN
WRIT PETITION NO. 8474 OF 2024**

M/s. Jayantilal Investments

.. Petitioner

Versus

Madhuvihar Co-operative Housing Society Ltd.

And Ors.

.. Respondents

.....

- Mr. Yatin R. Shah a/w. Mr. Ravi Gurupag, Advocate for Petitioner.
- Mr. Rubin Vakil a/w. Mr. Sahil Gandhi, Ms. Dimple Vora i/by Mr. Ramanuj Sudista Upadhyay, Advocates for Respondent Nos.1 to 6.

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 22, 2025.

P.C.:

1. Heard Mr. Shah, learned Advocate for Petitioner and Mr. Vakil, learned Advocate for Respondent Nos.1 to 6.

2. This Review Petition is filed on 06.11.2024 for seeking Review of Judgment dated 19.07.2024 in Writ Petition No.8474 of 2024.

3. I have heard learned Advocate Mr. Shah for Review Petitioner and perused the Review Petition. There are 91 grounds stated in the Review Petition by Review Petitioner which are without prejudice to one another.

4. It is seen that all grounds mentioned in the Review Petition are virtually overlapping and on the merits of the matter and are already adjudicated in the judgment dated 19.07.2024 passed in Writ Petition No.8474 of 2024 of which review is sought.

5. At the outset, it is seen that Review Petitioner was heard at length on all facets including questions of law and accordingly the Writ Petition was dismissed.

6. Filing of this Review Petition is nothing but one more attempt by the Review Petitioner to delay the inevitable i.e. Execution proceedings. Review Petitioner is the Judgment - Debtor in the primary proceedings and has been successful in evading the decree passed in the Suit on 31.03.2004 i.e. more than two (2) decades ago. Suit was filed in the year 1997 for execution of Conveyance as agreed between the parties in the year 1993 and it was decreed on 31.03.2004. The decree was upheld in First Appeal No.786 of 2004 by this Court on 16.03.2006. However after remand from the Supreme Court, this Court once again delivered judgment dated 07.10.2010 against the Review Petitioner. Pursuant thereto, Special Leave Petition against this Order was dismissed on 03.12.2010. Review Petitioner seeking review of judgment in the First Appeal dated 07.10.2010 was dismissed on 05.07.2011. Special Leave Petition filed against this dismissal was also dismissed on 13.02.2012. Thereafter the Decree - Holder filed

Execution Application which is being successfully contested and prolonged by the Review Petitioner on some pretext or another.

7. This Court has observed the vexatious conduct of Review Petitioner while delivering judgment dated 19.07.2024. Apart from giving adequate reasons on all legal submissions made by Review Petitioner in paragraph Nos.10 to 16 thereof, there is no error apparent found on the face of record in the judgment dated 19.07.2024. The said judgment does not call for any review whatsoever.

8. In view of the above, Review Petition is dismissed and disposed.

[MILIND N. JADHAV, J.]

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