

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 34 OF 2025
IN
WRIT PETITION NO. 5939 OF 2024

Mahesh K. Mehta.

...Petitioner.

Versus

The Bharatiya Friend's CHS Ltd.

...Respondent.

Mr. Mahesh K. Mehta appears in-person.

Ms. Rashi P. Sheth for the Respondent.

Coram : Sharmila U. Deshmukh, J.

Date : March 12, 2025.

P. C. :

1. The Review Petition seeks review of the judgment dated 20th December, 2024 passed by this Court dismissing the Petition filed against the dismissal of the interim applications for status quo by the Co-operative Court.

2. The pre-dominant argument for review is that the judgment under review has failed to consider the order of Hon'ble Division Bench of this Court dated 18th June, 2024. At the initial hearing, the parties were heard at length and upon perusal of the original Writ Petition it is evident that there was no reference to the order of 18th June, 2024 and that the same was annexed to the Affidavit in reply. Be that as it may. The submissions of the Learned Counsel for the Petitioner in the Writ

Petition recorded in the Judgment under Review indicate that no submissions were canvassed in respect of the order dated 18th June, 2024. However, in order to satisfy the conscience of Court, I have perused the order of 18th June 2024. All that the order of 18th June 2024 does is that it confirms the order of 7th June 2017 which order has already been dealt with in the judgment under review.

3. In the earlier round of litigation, the Review Petitioner who now appears in person, was represented by an Advocate and Advocates for both sides were heard at length. The Review Petition sets out almost twenty two grounds of review, which when perused constitutes grounds for Appeal. By this Review Petition, the Petitioner seeks to re-argue and re-agitate the same issues which were considered and dealt with by this Court in the judgment under review. It is well settled that Review is not an appeal in disguise and in event the judgment is erroneous, the appropriate remedy is to challenge the same before higher forum. Review jurisdiction cannot be used for the purpose of re-arguing and correcting an erroneous decision, if any. From the arguments advanced by the Review Petitioner, there is no error apparent on face of record and thus no ground for Review.

4. In the light of above, Review Petition stands dismissed.

[Sharmila U. Deshmukh, J.]

*[This is **Corrected Order** in terms of speaking to minutes order dtd 1-4-2025]*