

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 5 OF 2025
IN
INTERIM APPLICATION NO. 15708 OF 2024
IN
FIRST APPEAL NO. 1955 OF 2024

Nikhil Wadke	...Petitioner
Versus	
Freddy K. Bhadha And Ors.	...Respondents

AND

REVIEW PETITION NO. 6 OF 2025
IN
INTERIM APPLICATION NO. 15705 OF 2024
IN
FIRST APPEAL NO. 1954 OF 2024

Nikhil Wadke	...Petitioner
Versus	
Frenny F. Bhadha And Ors.	...Respondents

AND

REVIEW PETITION NO. 7 OF 2025
IN
INTERIM APPLICATION NO. 15742 OF 2024
IN
FIRST APPEAL NO. 1968 OF 2024

Nikhil Wadke	...Petitioner
Versus	
Sabina Khana And Ors.	...Respondents

Mr. Anil D'Souza a/w Vinay Ansurkar and Kartik Vig for the Petitioner in
all Review Petitions.

Mr. Vishwajeet Kapse a/w Mr. Dhananjayan Kadam for Respondents.

CORAM : M.M. SATHAYE, J.
DATE : 30th SEPTEMBER, 2025

P.C. :

1. Heard learned counsel Mr. D'Souza for the Review Petitioner.
2. The first submission advanced is that the application of Section 52, 53 and 60 of the Transfer of Property Act, 1882 as discussed in the order under review, is erroneous and it amounts to error apparent on the face of record. The said argument, in my view is nothing but an attempt to re-argue the case and the same cannot be permitted in limited review jurisdiction.
3. The second submission is about paragraph 15 of the order under review dated 22.07.2025. It is submitted that the reason for not considering argument about Order XXI Rule 41(1)(b) of the Code of Civil Procedure, 1908, is not clear enough. In paragraph 15, this Court has held that the said argument does not seem to have been advanced before the Trial Court. This position could not be disputed by learned Counsel for the Review Petitioner from the text of impugned order dated 24.09.2024. This Court cannot give any clarification about what transpired before the Trial Court when the impugned order dated 24.09.2024 was passed. In my view, the reason for not considering the said argument is clearly set out in paragraph 15 of the Judgment.
4. In that view of the matter, there is no merit in the Review Petition and the same is dismissed.

(M.M. SATHAYE, J.)