

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

REVIEW PETITION NO.1 OF 2025

IN

INTERIM APPLICATION (L) NO.12722 OF 2022

IN

SUIT NO.330 OF 2023

Sanjeev Kumar Anirudhan

... Petitioner

Versus

Manoj Kumar Anirudhan and Ors.

... Respondents

Mr. Akshay Pai, Senior Advocate a/w Mr. Rahul Singh a/w Ms. Pranali Raut, Ms. Varsha Sawant, Ms. Siddhi Bhosale i/by Legal Catalyst for the Petitioner.
Adv. E A. Sasi a/w Adv. Bijoy Chacko for the Respondents.

CORAM : ARIF S. DOCTOR, J.

DATE : 7th AUGUST 2025

P.C. :

1. The captioned Review Petition seeks review/recall of the order dated 28th March, 2025 passed by this Court in Interim Application (L) No.12722 of 2022.
2. The order dated 28th March 2025 reads thus:

"1. Heard Learned Counsel for the parties.

2. Learned Counsel for the Applicant at the outset seeks to replace the schedule of amendment. There is no opposition to this request. The same is permitted to do so.

3. Mr. Pai, Learned Senior Counsel very fairly submitted that there is no serious opposition to this Interim Application being allowed.

4. Given that the amendment sought is only to bring on record certain debentures which came to the knowledge of the Applicant after the disclosure order passed by this Court, the Interim Applicant is allowed in terms of prayer clause (a) which reads thus:-

"(a) This Hon'ble Court be pleased to permit the Applicant/Plaintiff to amend the plaint as per the Schedule of Amendment annexed hereto."

5. Amendments to be carried out within a period of two weeks from today.

6. Interim Application (L) No. 12722 of 2022 is accordingly disposed of."

3. It is the submission of Mr. Pai that in Paragraph -3 as extracted above that the concession made by Mr. Pai, the learned Senior Counsel appearing on that date has been incorrectly recorded. Mr. Pai submits that what had been conceded to was the schedule to the interim application being changed and not that the Defendant Nos.1 to 4 did not have a serious opposition to the interim application being allowed. He submits that the Defendants have a serious objection to the interim application being allowed and thus the order needs to be reviewed.

4. Mr. Sasi, learned Counsel appearing on behalf of the applicant in the interim application disputed the contentions of Mr.Pai. He submitted that the

order correctly recorded that Mr. Pai did not have any objection to the interim application being allowed. In any event he pointed out that the amendments have already been carried out and the review petition had been belatedly filed. He additionally pointed out that no prejudice would be caused to the review petitioner since the review petitioner would have every opportunity to deal with the merits of the amended suit. Mr. Pai pointed out that the order did not specifically reserved such liberty. He submitted that if such liberty was granted, the review Petitioner would not have any grievance.

5. In light of the above, I find this review petition to be entirely misconceived. The review petitioner is always at liberty to deal with the contents of the amended suit. No prejudice whatsoever can be said to be caused to the review petitioner by the amendment being allowed *per se*. Hence, the review petition is accordingly dismissed.

6. All rights and contentions of the review petitioner to deal with the amendments which have been carried out are kept expressly open.

(ARIF S. DOCTOR, J.)