

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 13528/2025****IN****REVIEW PETITION (L) NO. 3123/2025****M/S. RAJENDRA BUILDERS PVT. LTD. & ANR. APPLICANTS****VERSUS****CLANCEY FRANCISO PO.****..... RESPONDENT**

Adv. Akash Gupta i/b. Adv. D. P. Singh for the Appellants.

Adv. Reyden L. Gonsalves i/b. Adv. Eventa A. Gonsalves for the Respondent.

CORAM : RAJESH S. PATIL, J.**DATE : 23 JANUARY, 2026****P.C. :-**

1) Mr. Gupta, learned advocate appearing for the appellants seeks a short accommodation as arguing counsel is in some difficulty.

2) Mr. Gonsalves, learned advocate appearing for the original plaintiff submits that the present interim application is filed seeking condonation of delay and seeking to restore the review petition which was dismissed for non complying with the directions. He further submits that review is sought of an order passed by the Single Judge of this Court on 7 May, 2024.

3) Pursuant to the directions given in the order dated 7 May, 2024, his client was to be put in possession of a suit Flat No. 704, on the 7th Floor of the building known as Dolphin Tower at Malad, Jalkalyan Nagar, Marve Road, Mumbai. The order passed on 7 May, 2024 was challenged by the present applicant before the Hon'ble Supreme Court by filing Special Leave Petition and the same was dismissed on 16 July, 2024. The review petition was thereafter filed on 27 January, 2025 and even the said review petition was dismissed and now the applicant wants to restore the said review petition. He submits that the review petition is not maintainable once the Supreme Court has dismissed the SLP.

4) Mr.Gonsalves further submits that his client is put in possession of the suit flat which has already recorded in the order dated 28 November, 2025.

5) At the request of learned advocate for the appellants, stand over to **10 February, 2026.**

6) Let this interim application be heard alongwith Interim Application No. 14573 of 2023 on the next date of the hearing.

(RAJESH S. PATIL, J.)