



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3932 OF 2026**

Hiralal Nandlal Goyal	...	Petitioner
versus		
M/s. Neel Properties and Ors.	...	Respondents

Mr. Suresh Sabrad with Mr. Jeetenndra Sachhdev, Mr. Amey Sawant, Ms. Neha Daute, Ms. Eshwaree Kudalkar, for Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 10 APRIL 2026

ORAL ORDER :

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this Petition is to an order dated 18 February 2026, whereby the learned Civil Judge has allowed the Review Application and the order dated 28 October 2013 rejecting the earlier application for impleadment of the Respondent No.1 as party Defendant to the suit, came to be set aside and the Petitioner has been directed to implead the Respondent No.1 as party Defendant to the suit.
3. Mr. Sabrad, learned Counsel for the Petitioner, submitted that the learned Judge has exercised the power of review as if the learned Judge was sitting in appeal over the order passed by the learned Predecessor on 28 October 2013. Attention of the Court was invited to the order dated 28 October 2013, whereby the application for impleadment came to be rejected

and the grounds on which the review was sought.

4. From the perusal of the application for review, it becomes abundantly clear that there was an obvious mistake in furnishing the description of the property. In the application, the description of the suit property was furnished as Plot No.9, Sector 28, instead of Plot No.28, Sector 9.

5. Moreover, what weighed with the learned Civil Judge was the fact that, in the decree in SCS No.164 of 2009, the suit property was described as Plot No.28 Sector 9 and the suit property in the instant suit, in which the Respondent No.1 sought impleadment, was the very same property. It becomes clear from the order dated 28 October 2013 that, at that stage, a copy of the decree was not placed before the Court and the said fact was noted by the learned Civil Judge and even arrayed against the Respondent No.1.

6. Thus, a clear case of error apparent on the face of the record was made out.

7. Learned Civil Judge has correctly exercised the jurisdiction to review the order dated 28 October 2013. No interference is thus warranted in the impugned order.

8. The Writ Petition stands dismissed.

(N.J.JAMADAR, J.)