

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION 9REVIEW) NO.3 OF 2002  
IN MISC. CIVIL APPLICATION NO.120 OF 2002 IN  
WRIT PETITION NO.18 OF 2002.

Maharashtra State Finance  
Corporation, a statutory  
Corporation established under  
State Finance Corporation Act  
1951 having its Head Office at  
Mumbai and its regional Office  
at Lobo Building, 2nd floor,  
18th June Road,  
Panaji, Goa ..... APPLICANT

versus

M/s Hira Cashew Factory  
through its proprietor  
Shri Sanjay S. Samant having  
office at Malgao, Tal,  
Sawantwadi Dist.  
Sindhudurg ..... RESPONDENT

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Smt. S.S. Naik, Advocate for the Applicant.

Shri J.Godinho, Advocate for the Respondent.

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CORAM : C.K. THAKKER, C.J.  
P.V. HARDAS, J.

DATED : APRIL 1, 2002.

ORAL ORDER (PER C.K. THAKKER, C.J.)

This Application is filed to get the  
Order dated 26th February, 2002, reviewed. By the  
said Order, the amendment which had been sought  
by the Respondent (original Petitioner) was  
allowed.

2. In the Review Application it is stated that the learned Counsel for the Applicant Corporation was not aware of the matter on Board and hence it is a good ground to recall and/or review earlier Order and to pass an appropriate Order after affording an opportunity to the Applicant to be heard.

3. Insofar as the matter was concerned, it was shown on the Board as prepared by the Registry of this Court. But that apart, even otherwise also, when a prayer regarding amendment of Petition was allowed, in our opinion, it may not be necessary to review and/or recall the Order. No doubt, it was stated on behalf of the Applicant Corporation that several contentions had also been raised on behalf of the original Petitioner which have nothing to do with the controversy raised in the present matter.

4. In our opinion, it is open for the learned Counsel for the Corporation to raise all the contentions. It is also open for the Corporation to file Affidavit so far as the amendment to the Petition is concerned. This is no ground for review and/or recall the Order. Hence the Civil Application (Review) is disposed

of without observing anything on merits. No costs.

( C.K. THAKKER )  
CHIEF JUSTICE.

( P.V. HARDAS )  
JUDGE.

ac.