

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO.891 OF 2015
WITH
CIVIL APPLICATION NO.1104 OF 2015**

Junaid Iqbal Memon ... Appellant
vs.
Najma Aslam Merchant and Another ... Respondents

**WITH
APPEAL FROM ORDER NO.892 OF 2015
WITH
CIVIL APPLICATION NO.1082 OF 2015**

Firoz Mohammed Memon and Others ... Appellants
vs.
Najma Aslam Merchant and Another ... Respondents

Ms.Simeen Shaikh i/b. M/s. S.K. Srivastav & Co. for the Appellant in A.O. No.891 of 2015 and for Respondent No.2 in A.O. No. 892 of 2015.

Mr. N.A. Ghatte, for Respondent No. 1 in both the matters.

Ms.Smita Tanna, for Respondent Nos. 2 to 4 in A.O. No. 891 of 2015 and for the Appellants in A.O. No. 892 of 2015.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 4th DECEMBER, 2015

P.C.:

Not on board. Upon mentioning taken on board.

2. This matter is moved for speaking to the minutes of order dated 24.11.2015 for correction of some typographical errors in the said order. Accordingly, the order dated 24.11.2015 is corrected as under:

- a) On page No.2 in paragraph No.2, second last line thereof, the words “Thus, all the Appellants were the Respondent Nos. 1 to 4” are substituted by **“Thus, all the Appellants were the Defendant Nos. 1 to 4”**.
- b) On page No.2 in paragraph No.3, in the third line, the word “Appellans” is substituted by **“Appellants”** and the word “his” is substituted by the word **“her”**.
- c) In paragraphs 3 and 5, the date “14th August, 2014” is substituted by **“14th August, 2013”**.
- d) On page No.2, in paragraph No.6, in the tenth line the word “sane” be corrected as **“same”**.
- e) On page No.4, paragraph No.6, in the third line from bottom, the words “So also 20250 shares of one hotel at Mahabaleshwar” are substituted by the words **“So also 2250 shares of one company Pan Hill Hotel Pvt. Ltd. at Mahabaleshwar”**.
- f) On page No.5, in paragraph No.7(b), the words in the third line “encumbrance is created with the suit property” are substituted by “encumbrance is created **on** the suit property”. In the same paragraph, the words “on the suit plot” in the last line, are substituted by the words **“of the suit.”** In the same paragraph,

g) On page No. 5 in paragraph No. 7(c), in the first line, the word “transferee” is substituted by the word “**transfer**”.

h) On page No. 5 the line 7(d) i.e., “Accordingly the Appeal stands disposed of” is substituted by the line “**Accordingly, the Appeals and Civil Applications stand disposed of**”.

3. The order dated 24th November, 2015 stands corrected/modified accordingly.

(MRS.MRIDULA BHATKAR, J.)