

SSK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.132 OF 2015
IN
CIVIL APPLICATION NO. 586 OF 2012
IN
CIVIL REVISION APPLICATION NO. 511 OF 2012**

Mr. Kersi Jimmy EngineerApplicant
versus
The Trustees of Parsi Panchayat Funds &
Properties and ors.Respondents

Mr. A. K. Lulla i/b Mr. Rajendra N. Bhagattjee, advocate for the applicant.
Mr. Agnel Carneiro i/b. Mulla and Mulla, C.B. And C, advocates for the respondents.

CORAM : RANJIT MORE, J.

**DATED : 12th JUNE, 2015.
(In Chambers)**

P.C.:

By consent of learned counsel appearing for the respective parties, the order dated 20th March, 2015 passed in the aforesaid civil application is recalled.

2 The civil application is taken out for modification of order dated 17th November, 2014, passed in civil application No.586 of 2012.

3 Learned counsel for the applicant, invited my attention to the order dated 13th August, 2012 passed in civil revision application No.511 of 2012, and submitted that civil application Nos.586 and 633 of 2012 were to be heard along with civil revision application No. 511 of 2012. Despite this position, in the last sentence of paragraph 2 of the order

dated 17th November, 2014, it is observed that the civil application No.586 of 2012 is worked out and, therefore, same stands disposed of. He submits that these observations are made inadvertently and, therefore, required to be deleted. Learned counsel for the applicant also withdraws the allegations made in the civil application against the respondents.

4. Learned counsel for the respondents does not dispute the position stated by learned counsel for the applicant. He has no objection if the last sentence in paragraph 2 of the order dated 17th November, 2014 is deleted.

5. In view of the above, the last sentence in paragraph 2 of the order dated 17th November, 2014, passed in civil application No.586 of 2012 viz. "By the said order dated 12th July, 2013, the civil application is worked out and, therefore, same stands disposed of" is deleted. The order dated 17th November, 2014, accordingly, stands modified and the civil application is disposed of.

6. Civil Application No. 586 of 2012, accordingly, stands restored to its original file.

(RANJIT MORE, J.)