

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 4113 OF 2016

Pandharinath Kondiba Walke
and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri L. S. Shaikh, Advocate h/f Shri D. R. Jayabhar, Advocate for
Petitioners.

Shri B. A. Shinde, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
K. K. SONAWANE, JJ.**

DATE : 11TH APRIL, 2016.

PER COURT :

. The petitioners seek correction in the order dated 02.04.2010. The said order was passed pursuant to the amicable settlement between the parties in Lok Adalat. The learned counsel for petitioners states that, by mistake in the said statement instead of land gut No. 39, gut No. 49 was mentioned. Even E-Statement supports the case of the petitioner. The learned counsel also relies on the 7/12 extract.

2. We have heard the learned Assistant Government Pleader also.

3. It appears that, the petitioners had filed application U/Sec. 28-A of the Land Acquisition Act, however, while filing the application seems to have committed mistake in writing the gut number. The matter stood settled in Land Acquisition Reference No. 421 of 2003. The order passed therein would tantamount to a decree.

4. The petitioners can take steps U/Sec. 152 of the Code of Civil Procedure.

5. The petitioners may avail the said remedy. In case the petitioners file such an application, the Reference Court shall consider the same expeditiously on its own merits. The writ petition is disposed of. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]