

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

992 CIVIL APPLICATION NO. 10555 OF 2016
IN FA/860/2013

KRISHINATH BABURAO SONAR (POTDAR)
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Ingale Vivekanand V.
Mr. SN Morampalle, AGP for sole Respondent

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CORAM : P.R. BORA, J.
Dated: July 29, 2016

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PER COURT :-

- 1) Issue notice to the respondent. Learned AGP waives service for sole Respondent.
- 2) Heard the learned Counsel for the applicant and learned AGP for the Respondent.
- 3) The present application is filed for seeking leave to correct the description of the property in ground No.VIII of FA No.860/2003 and accordingly to carry out the said amendment in the decree passed in aforesaid FA No.860/2013.
- 4) The aforesaid appeal has been finally decided by this Court vide Judgment and Order dated 5th April, 2013. The learned Counsel has brought to

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my notice the description of the subject property from the judgment of the Reference Court in LAR No.99/1988. The learned AGP has prayed for passing appropriate orders.

5) In view of the fact that the subject property was Survey No.109/1, but was wrongly stated to be Survey No.105/B in the grounds of objections in the memo of appeal in FA No.860/2013 and hence the mistake occurred while preparing the decree in the matter the present application deserves to be allowed in terms of prayer clause (A) and (B) of the application. Order accordingly. CA stands disposed of.

(P.R. BORA, J.)

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