

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1871/2017
IN
SECOND APPEAL NO.261/2005

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S. T. Bhosale i/b. Dilip Bodke for the applicant
Mr. Yatin Malvankar i/b. Mandar Limaye for the respondent

CORAM : K. K. TATED, J.
DATE : DECEMBER 20, 2017

P.C.:

1. Heard. This Application is made by the Plaintiff for direction to the Appellant in the Second Appeal to correctly show her name in the cause title of the Second Appeal.

2. The learned counsel for the Appellant submits that they have no objection to allow the Civil Application in terms of prayer clause (a).

3. The prayer clause (b) of the Civil Application is for correcting the name of Applicant in the cause title of the judgment and order dated 06.01.1998 passed by the learned Civil Judge, Senior Division, Vita in Regular Civil Suit No.150/1990 and

judgment and order dated 11.06.2003 passed by the District Court Sangli in Regular Civil Appeal No.110/1998. For this purpose the Applicant has to make an Application before the concerned court. Liberty granted.

4. Considering these facts, following order is passed:

a. The Civil Application is allowed in terms of prayer clause (a) which reads thus:

“(a) This Hon'ble Court be pleased to direct the Respondent / original Appellant to correct the Applicant / original Respondent's name in the cause title of the Second Appeal as Dr. Sau Sarah Beula John Andrews and grant leave to amend.”

b. So far as prayer clause (b) of the Civil Application is concerned, liberty granted to the Applicant to make an appropriate Application before the concerned court.

c. If such an Application is made, the Trial Court is directed to decide the same on merits by giving opportunity of hearing to the other side.

d. Amendment to be carried out on or before 31.01.2018.

JUDGE