

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

917 CIVIL APPLICATION NO. 5653 OF 2018
IN FA/1615/2015

WAMANSING MOHANSING PATIL DECEASED THR LEGAL HEIRS GANSING
WAMANSING PATIL AND OT
VERSUS
MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION THR ITS AREA
MANAGER JALGAON AND O

...
Advocate for Applicants : Mr. Sushilkumar H. Tripathi
AGP for Respondents: Ms. S.S. Raut
Adv. for Respondent 1 : Mr. G.S. Khair h/f Mr. S.S. Dande

CORAM : K.K. SONAWANE, J.
DATE : 21st JUNE , 2018.

PER COURT:

Heard learned counsel for the applicant. Perused the application. Present application is moved for seeking permission to carry out the requisite correction in the title clause of the appeal memo in regard to names of the appellant and respondent and to produce the corrected copy of the judgment and award passed by the learned Reference Court by invoking the powers under Section 152 of C.P.C.

Learned counsel for the applicant submits that the applicant had filed an application under Section 152 of the CPC to the concerned Reference Court to get corrected the description of the property as well as correction in the title clause of the Reference Petition. Accordingly, the applicants were permitted by the concerned court to carry out the corrections as prayed.

In view of requisite amendment carried out in the Reference Petition in title clause and description of property, the applicants are seeking permission to carry out the necessary amendment in the title clause

of the present appeal memo and produce the corrected documents on record.

In view of nature of subject matter, there is no impediment to grant permission to the applicants as prayed. Hence, the application stands allowed in terms of prayer clauses (B) and (C). The appellant MIDC shall carry out the necessary correction in names of appellant Nos. 2 to 6 in the title clause of the first appeal and the applicants shall produce the relevant documents of corrected certified copy of the judgment and award in this court within a period of 3 weeks.

However, the prayer in regard to withdrawal of the amount cannot be entertained. Hence, the same stands rejected with liberty to the applicant to file a separate civil application for that purpose.

Civil application is disposed of accordingly.

[K.K. SONAWANE]
JUDGE.

grt/-