

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

**901 CIVIL APPLICATION NO. 15066 OF 2017
IN WP/4360/2016
WITH
CIVIL APPLICATION NO.6767 OF 2018
IN WP/4360/2016**

SATISH PARASHRAM SHINDE AND OTHERS ..APPLICANTS

VERSUS

**THE PACHORA MUNICIPAL COUNCIL PACHORA THROUGH ITS
CHIEF OFFICER AND ANOTHER ..RESPONDENTS**

...

Mr. S. P. Shah h/f. Mr. Vijay B. Patil, Advocate
for the Applicants.

Mr. A. V. Deshmukh, AGP for Respondent-State.

Mr. D. B. Thoke, Advocate for the Respondent No.1.

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**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATED : 12th OCTOBER, 2018.

PER COURT:-

1. Civil Application No.15066 of 2017 is filed of seeking leave to modify the order dated 20.09.2017 passed in Writ Petition No.4360 of 2016 to the extent of correction in the survey number of the property.

2. Civil Application No.6767 of 2018 is filed for seeking leave to amend the prayer clause thereby correcting the survey number of the writ property.

3. We have heard Mr. Shah, learned counsel for the applicants and Mr. Thoke, learned counsel for non-applicants-Municipal Council.

4. It appears that in the writ notice more particularly in the body of notice the survey number is mentioned as 66/1A + 66/2A. However, the mistake has occurred in the prayer clauses of the writ petition and in consonance with the prayer clauses order has been passed by this Court allowing the writ petition.

5. Mr. Thoke, learned counsel for the Municipal Council has also verified the said facts and the contents of the civil application and the amendment appears to be proper. In light of that Civil Application No.6767 of 2018 is allowed in terms of prayer Clause 'A'. Civil Application is disposed of.

6. We also allow the Civil Application No.15066 of 2017 and the order dated 20.09.2017 passed in Writ Petition No.4360 of 2016 to the extent of description of the writ land in para 2, 6 and 14 is corrected as survey no.66/1A + 66/2B. Civil Application accordingly disposed of.

7. Necessary corrections be carried out in the order.

8. The applicant shall carry out the necessary amendment in the prayer clause of the writ petition.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/October-18

Devendra
Nandkumar
Kale

Digitally signed
by Devendra
Nandkumar Kale
Date: 2018.10.16
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