

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6452 OF 2018

Abasaheb Nagappa Deshmukh @ Shendge ... Petitioner

Vs.

Smt.Keshar Govind Madane .. Respondent

Mr.A.B. Tajane for the Petitioner

Mr.B.A. Lawate for Respondent No.1

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: JUNE 29, 2018**

P.C. :

1. This matter is moved for speaking to the minutes of order dated 19.6.2018. Accordingly, the order is corrected / modified as mentioned below:

2. In para 1, on 4th line, after the words 'Regular Civil Appeal No.136 of 2013.', the words, **“and prays that”** shall stand inserted. Also, the word, 'The issues' will read as “the issues”.

3. Further, para 2 is modified as under:

“2. The suit is decreed, against which the petitioner has filed Appeal. The petitioner is not challenging the order of the First Appellate Court, which is the subject of this Petition.

The prayer made by the learned Counsel for the petitioner that the Appeal be decided on merit **on all the issues, is reasonable. The first Appellate Court to decide the appeal on merits in respect of all the issues raised by both the parties. All contentions are kept open. In view of this,** no interference is required in the order dated 2nd April, 2018 passed by the first Appellate Court.”

4. The original order dated 19.6.2018 stands corrected / modified accordingly.
5. Praecipe for speaking to the minutes stands disposed of as such.

(MRIDULA BHATKAR, J.)