

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

**FIRST APPEAL NO.665 OF 2019
WITH
CIVIL APPLICATION NO.4196 OF 2019**

Gulab Ayubkhan Pathan,
Age : 35 years, Occ. Business,
r/o. Nagar – Aurangabad Road,
Ahmednagar

..Appellant

Vs.

1. District Collector,
Collectorate Office,
Ahmednagar

2. Tahsildar,
Tq. Ahmednagar,
Dist. Ahmednagar

..Respondents

Mr.Satyajeet S. Dixit, Advocate for appellant

Mr. S.S.Dande, AGP for respondents

**CORAM : SUNIL P. DESHMUKH
AND
R.G. AVACHAT, JJ.
DATE : MAY 03, 2019**

PER COURT :

Not on board. Mentioned. Taken on board.

2. Matter is moved by way of motion for "*speaking to minutes*" of the judgment dated 08-04-2019.

3. Heard learned Counsel for the parties. After hearing learned Counsel, it appears that a typographical inadvertent error has crept in, in incorporation of words "much less" in first sentence of paragraph no.16 of the judgment dated 08-04-2019.

4. Learned Counsel for the appellant further submits that the observations in paragraph 16 to the extent - "*True, the Trial Court may be right in observing that the suit did not fit in terms of Section 34 of the Act*", may be deleted. It is difficult to accede to this request since those observations have been made while narrating the judgment with reference to the order of the trial Court. Request of appellant to delete the afore-mentioned sentence in view of the same is difficult to be acceded to and is thus, turned down.

5. Going by the tenor of the judgment, obviously, the words "much less", as have been incorporated under inadvertent typographical mistake, deserve to be replaced. As such in the judgment dated 08-04-2019 in paragraph 16 in first sentence in the second line, the words "**much less**", be replaced with the words "**and can be**". Necessary corrections be carried out in the said

paragraph of judgment and the judgment be read accordingly and henceforth corrected copies be issued and copies hitherto issued shall be deemed to have been corrected accordingly.

6. Motion is disposed of accordingly.

[R.G. AVACHAT, J.]

[SUNIL P. DESHMUKH, J.]

kbp