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

**CIVIL APPLICATION NO.13832 OF 2019
IN
WRIT PETITION NO.13246 OF 2017**

Shankar s/o Dattatraya Dhanure (Dead),
through his Lrs.

Laxmibai s/o Shankar Dhanure,

Age: 65 years, Occu: Agriculture & ors.

..APPLICANTS

VERSUS

The Union of India,

Through Secretary,

Department of Road Transport and Highways,

Transport Bhavan, Parliament Road,

New Delhi & ors.

..RESPONDENTS

Dr. Mr S. D. Tawshikar, Advocate for applicants;

Mr S. B. Deshpande, ASGI for respondent No.1;

Mr S. G. Sangle, A.G.P. for respondents/State

CORAM : PRASANNA B. VARALE

AND

ANIL S. KILOR, JJ.

DATE : 13th December, 2019

ORAL ORDER:

Heard Mr Tawshikar, learned Counsel appearing on behalf of the applicants.

2. By way of present application, the applicants/petitioners pray for modification of the order dated 25th September, 2018, passed by this Court in present writ petition. Learned Counsel for the applicants submitted before this Court that on 25th September, 2018, while

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addressing this Court, learned Counsel for the petitioners submitted that the petitioners are not pressing prayer clauses (D) and (E) of the writ petition. He further submitted that inadvertently, by typographical error, instead of referring to prayer clauses (D) and (E), which were not pressed by learned Counsel for the petitioners, a reference is made to prayer clauses (B) and (C). He then submitted before us that he was requested his associate to take appropriate steps for amendment in the petition by deleting prayer clauses (D) and (E) and inadvertently, his associate, in view of typographical error in the order dated 25th September, 2018 deleted prayer clauses (B) and (C) and this fact was not brought to the notice of Mr Tawshikar, learned Counsel for the petitioners. It is further submitted by learned Counsel for the petitioners that this error came to the knowledge of the petitioners when the petition was heard extensively by the Division Bench of this Court at final hearing stage and immediately the present application is filed.

3. Considering the submissions of learned Counsel for the applicants/petitioners that there was typographical error and the communication gap between his associate and him, the application is allowed in terms of prayer clauses (B) and (C). The order dated 25th September, 2018 be modified and be uploaded accordingly.

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The civil application stands disposed of.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)

sjk