

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

CIVILAPPLICATION NO.2604 OF 2018
IN
WRIT PETITION NO.7189 OF 2018

Shri. Mangesh Vitthal Wadekar	...Applicant.
Vs.	
Pradnya Pramod Latekar	...Respondent.

Mr. P.K.Dhakephalkar, Senior Advocate with A.M. Kulkarni i/by
V.R.Gaikwad for the Applicant.
Mr. V.S.Talkute for Respondent No.1.
Mrs. , APP for the Respondent/State.

CORAM : R. D. DHANUKA, J.
DATE : 20th February, 2019

PC :

1. Not on board. Taken on board.
2. The applicant has filed this application for clarification and correction of the order dated 6.10.2018 more particularly in Para 3 and Para 6. In so far as correction sought in Para 3 of the order instead of 2

bed room hall kitchen this Court shall show it as 1 bed room hall kitchen plus open terrace is concerned, it is the case of respondent No.1 that in the lower appellate court the applicant had filed a list of documents in which it was stated that Flat No. B-7 was of 2-bed room hall kitchen. This Court has recorded the statement made by the learned Senior counsel in Para 3 of the order that no third party right would be created in respect of flat B-7 i.e. 2- bed room, hall and kitchen in the building to be constructed and the said flat can be kept reserved pending decision of Regular Civil Suit No.136 of 2016. This court has accepted the statement made by the petitioner. I am not declined to modify Para 3 of the said order dated 16.10.2018. In so far as modification and clarification of said Para 6 is concerned I have already clarified that Flat No. B-8 mentioned in last line of para 6 shall be read as flat No.7-B. Civil Application is accordingly disposed off.

3. All the pending civil applications are also disposed off.

(R. D. DHANUKA, J.)