

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

**CIVIL APPLICATION NO.988/2019
in
WRIT PETITION NO.6776/2017**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Advocate Mr.JM Joshi i/b SH Joshi for applicant.

**CORAM : K. K. TATED, J.
DATE : AUGUST 16, 2019.**

P.C.:

Heard learned advocate for applicant.

2. Learned Advocate for applicant submits that copy of Civil application is already served on other side. He undertakes to file affidavit of service within two weeks. He submits that in the present proceeding, he filed Minutes of Order dated 27.2.2019. He submits that

by mistake instead of 89(p) it is noted as 88(p) in Minutes of Order. Therefore, he require permission to carry out correction in Minutes of Order dated 27.2.2019.

2 Consequently, Order dated 27.2.2019 is required to be corrected to that effect.

3 Hence, the following order.

A) Civil Application is allowed in terms of prayer clause (a) which reads thus;

(a)He may be permitted to substitute the word survey No.88(p) by the word 89(p) in para no.1(ii) of Minutes of Order dated 27.2.2019 (Exhibit D hereto).

B) In order dated 27.2.2019 passed by this Court on page no.2 in clause No.(ii) in third line instead of "Survey No.88(p)" it should be "Survey No.89(p)" in Writ Petition No.6776/2017.

C) Rest of the order remain as it is which reads thus;

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6776/2017

Rajaram R. Madnani

... Petitioner

V/s.

Anita Umesh Sanghavi

... Respondent

Mr. P. S. Dani, Senior Advocate I/b. Satyajeet H. Joshi with
Nachiket Darda for the Petitioners

Mr. Swanand Ganoo with Deepak Shukla I/b. Ms. Vinod Mistry &
Co. for the Respondent

CORAM: K.K. TATED, J.

DATED : FEBRUARY 27, 2019

P.C. :

1 Heard. After arguing for some time, both the counsel tendered minutes of order dated 27.02.2019 duly signed by both the parties and their respective counsel. Same are taken on record and marked "X" for identification, which read thus:.

2 The Writ Petition stands disposed of in terms of the minutes of order.

3 Parties to act on an authenticated copy of this order.

MINUTES OF ORDER

"1.By consent the impugned order dated 16.08.2016 passed below Exhibit-34 in Regular Civil Suit No.127 of 2014, passed by Joint Civil Judge Junior Division Palghar is quashed and set aside and the Application of the Petitioners / Original Defendants at Exhibit-34 in Regular Civil Suit No.127 of 2014 is allowed on following terms :-

- i. Taluka Inspector of Land Records Palghar is hereby appointed as Court Commissioner in Regular Civil Suit No.127 of 2014.
- ii. The Court Commissioner will measure and Survey the suit land i.e. Survey No.88 and adjoining lands bearing Survey No.89(p) situated at Village Gundale, Taluka and District Palghar, after giving notice to the Advocates for the parties in the above-mentioned suit.
- iii. After survey and measuring the lands, a report of the survey and measurements, shall be submitted to Ld. Joint Civil Judge Junior Division Palghar in Regular Civil Suit No.127 of 2014.

1. Petitioners i.e. Defendants will bear the cost of survey and measurements.

2. Writ Petition is disposed of in above terms.”

4 No order as to costs.

(K.K.TATED, J.)