

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CIVIL APPLICATION (CAS) NO.139 OF 2019

IN

SECOND APPEAL NO.52 OF 2017

(Ambadas Damodar Umekar ..vs.. Hirubai wd/o Shriram Sadar and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.S. Giramkar, Counsel for applicant/appellant,
Smt. S.P. Deshpande, Counsel for respondent No.1.

CORAM : ROHIT B. DEO, J.

DATED : 15-02-2019

The application is taken out to correct an obvious error in the judgment dated 14-12-2018. This Court answered the substantial question of law in favour of the appellant. However, in the concluding paragraph, it is recorded that the appeal is rejected. The learned Counsel for respondent 1 Smt. S.P. Deshpande fairly states that she has no objection if the obvious error in the judgment is corrected. It is also brought to my notice that although Mrs. S.P. Deshpande is appointed counsel, her fees are not quantified.

2. Paragraph 12 be substituted by following :

“The appeal is allowed. The judgment of the trial Court is restored. The fees of the learned appointed Counsel for respondent 1 are quantified at Rs.5,000/- (Rupees Five Thousand).”

3. The application is disposed of accordingly.

JUDGE

adgokar