

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

CAF NO. 840/2019 IN FIRST APPEAL NO. 132 OF 2017

(Executive Engineer, Arunavati Canal Division, Tal. Yavatmal, District – Yavatmal vs. Shri Anandkumar Digambar Nilawar (dead) thr. Lrs Akshay s/o Anandkumar Nilawar & Ors.) WITH

XOB NO. 110/2018 IN FIRST APPEAL NO. 132 OF 2017

(Anandkumar s/o Digambar Nilawar (dead) thr. Lrs Akshay s/o Anandkumar Nilawar & Ors. vs. The Executive Engineer, Arunavati Canal Division, Tal. Digras, Dist. Yavatmal & Ors.)

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

Court's or Judge's orders.

**CORAM : SUNIL B. SHUKRE &
S.M. MODAK, JJ.
FEBRUARY 27, 2019.**

Heard Smt. J. Alkari, learned counsel for the appellant, Shri M.M. Agnihotri, learned counsel for respondent No. 1(A) to 1(C), Shri A.M. Balpande, learned AGP for respondent Nos. 2 & 3 and Shri P.P. Deshmukh, learned counsel for respondent Nos. 1(a) to 1(c) / Cross Objectors.

We agree with what has been stated in this application. Non inclusion of the words “*along with accrued interest*” is a mistake which has occurred due to inadvertence and, therefore, it needs to be corrected.

The order dated 13.02.2019 carrying the aforesaid mistake is corrected and now by way of correction the words “*along with accrued interest*” shall be incorporated after the words “to be withdrawn” and before the words “on furnishing security” appearing in the first line of page number two. Similarly, the correction in the third line of last para of page number one needs to be made by

incorporating the words “*along with accrued interest*” in between the words “balance” on one hand and “on furnishing usual undertaking” on the other hand.

The corrections be made forthwith and corrected copy of the order duly certified be furnished to the parties.

List First Appeal and Cross Objection on 13.03.2019 by way of last chance.

JUDGE

JUDGE

*GS.