

A.S.No.266 of 2007

N.SESHASAYEE, J.,

The learned counsel for the 1st respondent brought to the notice of this Court that in paragraph No.16 of the Judgment of this Court dated 25.01.2019, it is mentioned that "A memo dated 28.11.2018 too has been filed in the Court by the plaintiffs/respondents". The learned counsel clarified that this memo dated 28.11.2018 was filed by the 2nd plaintiff / 2nd respondent, the Residents' Association of various residents who are in occupation of the suit property.

2. Secondly, the learned counsel submitted that an additional sum of Rs.11,24,60,800/- was directed to be paid within a period of six months from the date of the judgment i.e. 25.01.2019. However, submitted that the copy of the judgment was obtained only on 10.07.2019. He submitted that the time stipulated may be provided from the date of the receipt of a copy of the judgment. To this the appellants took a mild exception, when the learned counsel submitted that the judgment copy was hosted online immediately and a copy of the judgment is required only for preferring a Special Leave Petition before the Hon'ble Supreme Court and not for complying the Court order.

3. On point No.1, this Court directs that in page No.19 at paragraph No.16, 4th line from bottom, the sentence is directed to be corrected as follows:

"A memo dated 28-11-2018 too has been filed in the Court by the 2nd plaintiff / 2nd respondent and the same is recorded."

4. On point No.2, On submission of both sides, this Court requires the time fixed is enlarged till 30.11.2019. Paragraph No.17 has to be read as follows:

"17.In conclusion this appeal is disposed of with a modification that the decree of the trial court is modified to the extent of directing the 2nd plaintiff / 2nd respondent to deposit additional amount of Rs.11,24,60,800/- before the trial court on or before 30.11.2019. As to the rest, the decree of the trial court shall stand confirmed. No costs".

30.08.2019

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Note:Registry is directed to issue fresh order copy to the parties and other concerned.

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N.SESHASAYEE, J.,

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30.08.2019