

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

12 CIVIL APPLICATION NO.1465/2021 IN CA/1222/2021
IN SA/435/1997

SHANTABAI BALKRUSHNA RADE DECEASED LRS. SUDHIRANJAN
BALKRUSHNA RADE AND OTHERS
VERSUS
DWARKABAI KASHIRAM CHOUDHARI DECEASED L.RS. GOVINDA
KASHIRAM CHAUDHARY AND OTHERS

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CORAM: H.M.BHOSALE
REGISTRAR (JUDL)

DATED: 03/02/2021

1. This Civil Application is preferred seeking amendment in Civil Application No.1222/2021 (CAST NO.13996/2020) in respect of description of the parties.

2. Having considered the appeal memo of Second Appeal No. 435/1997 the legal heirs of respondent Dwarkabai Kashiram Choudhari have been brought on record and accordingly amendment has been carried out in the appeal memo. However, in Civil Application No.1222/2021 moved to bring on record legal heirs of appellant Shantabai Balkrushna Rade, the legal heirs of respondent Dwarkabai Kashiram Choudhari are not mentioned. It being mistake occurred due to inadvertence, it would be just and proper to allow the parties to correct title clause, more particularly description of the parties in Civil Application No.1222/2021.

3. By virtue of the provisions under Chapter II Rule 3 (c) of the

Bombay High Court Appellate Side Rules, the Registrar is empowered to entertain and decide applications for amendment of memoranda of appeals or applications by correction of the description of the parties.

4. In turn, by exercising this power, the Civil Application No.1465/2021 is allowed. The applicants shall carry out necessary amendment in title clause of Civil Application No.1222/2021.

REGISTRAR (JUDL)