

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 FIRST APPEAL NO.268 OF 2021
WITH CA/10141/2021 IN FA/268/2021 WITH CA/12801/2021 IN FA/268/2021

M.S.E.D. COMPANY LTD., THROUGH THE EX. ENGINEER, (CIVIL)
CIVIL CONSTRUCTION CUM MAINTENANCE DIV. JALGAON
VERSUS
DAULATMAL NATHMAL JAIN AND OTHERS

...
Advocate for Appellant : Mr. Shelke Avishkar S.
Advocate for Respondents no. 1 to 5 : Mr. M.R. Malpani h/f. Mr. A.B. Kale
AGP for Respondents: Mr. S.G. Sangale
...

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 21ST DECEMBER 2021

PC :

1. The appellant was granted time to remove all the office objections till 21-12-2021. The learned Advocate for the appellant submits that all the office objections, except one in relation to the description of the appellant, as respondent no. 3 in the original Land Acquisition Reference no. 273 of 2012, which suffers a discrepancy, have been removed. He submits that the appellant will have to approach the Land Acquisition Reference Court, for seeking correction in the description of the opponent no. 3 in the said proceeding.

2. The learned Advocate for the appellant submits that this process of approaching the LAR Court, would take quite some time and in his estimation, it could even be three months since the proceedings

will have to be initiated and after issuance of the notices to the parties, the correction would be carried out.

3. The learned Advocates representing the respondents in this appeal, confirm that the description of the appellant as opponent no. 3 in the reference Court, was erroneous and the description of the appellant in this appeal, is the correct nomenclature.

4. As such, to avoid unnecessary wastage of time, we are over-ruling the objection with regard to this error and we direct the learned 5th Joint Civil Judge Senior Division, Jalgaon, to correct the description of opponent no. 3 in Land Acquisition Reference no. 273 of 2012 decided on 09-07-2019 in the suit register, by replacing the said opponent with the following description :

“Maharashtra State Electricity Distribution Company Ltd. Through the Executive Engineer (Civil), Civil Construction cum Maintenance Division, Jalgaon, Taluka and District – Jalgaon.”

5. The appellant shall carry out the correction in the record and proceedings available in our Court within (4) four weeks from today.

[S.G. MEHARE, J.]

[RAVINDRA V. GHUGE, J.]

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