

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO.1466 OF 2021****IN****SECOND APPEAL NO. 2 OF 2017**

Dilip Shridhar Junnare & Ors.

.....Applicants.

Vs.

Shridhar Savliram Junnare
(Since Deceased Through his LRs.)
Shri. Rahul Dilip Junnare & Ors.

.....Respondents.

Mr. Girish Agarwal for the Applicants.

Mr. Mangesh Patel for the Respondent Nos. 1A, 2 and 3.

CORAM : A. S. GADKARI, J.**DATE : 13th JULY, 2021.****(Through Video Conferencing)****PC:-**

This Interim Application is filed by the Applicants-Original Plaintiffs for amendment in the decree and particularly, in clause 5(f) of the Consent Terms dated 16th November, 2019, which were accepted by this Court by its Order dated 29th January, 2020 while disposing off the Second Appeal on the basis of the said Consent Terms.

2 Mr. Mangesh Patel, learned Advocate for the Respondent Nos. 1A, 2 and 3 fairly conceded that, the said corrections are necessary as there are typographical errors while preparing the said Consent Terms dated 16th November, 2019.

This Order is corrected in pursuance of Speaking to the Minutes Order dated 19th July, 2021.

3 It is stated that, in paragraph No.5(f) in line No.2, the Survey
No.15/3 has been erroneously typed instead of Survey Nos. 15/1/A/1/A
and 15/2A/1. Likewise, in line No.5 of the said para No. 5(f), the Suit
No.710 of 2019 has been erroneously typed instead of Suit No.719 of 2019.

4 After incorporating the said correction, para No.5(f) of the
Consent Terms/decreree would read as under:-

*5(f) Survey No.16/1 at Village Agartakali is owned by Shri.
Maruti Devastan Trust and Survey Nos. 15/1/A/1/A and
15/2A/1 are owned by Shri. Vasant Kondaji Aute, etc.
Late Shridhar was tenant in aforesaid property. The said
properties are agreed to be hold by all parties in
common. Pending suit bearing No.719 of 2019 and
R.C.S. No.75 of 2018 are to be conducted by the parties.
All parties are having equal share in the said property.*

5 The Consent Terms/Decree stands corrected and modified
accordingly.

Interim Application No.1466 of 2021 is accordingly allowed in
the aforesaid terms.

(A.S. GADKARI, J.)