

one hand, the Court order specifically mentions Room No. 602. But there is a typographical error in the Petitioner's Advocate's letter of 24th January 2019. The subject line of that letter refers to Room No. 603. This is a typographical error which can be seen from paragraph 2 of the very same letter and paragraph 3 where the Petitioner's claim is only for Room No. 602. In paragraph 3, in fact, the assertion is that one of the Petitioner's brothers is staying in Room No. 603. This typographical error is repeated in paragraphs 4, 5, 6 and 8.

3. The authority has acted on this letter pursuant to the direction of the High Court vide its communication dated October 2021 Exhibit-E at page 16. The prayers in the IA at page 6 in paragraph 9 read thus:

“a. That this Hon'ble Court be pleased to issue clarification/direction to Respondent no.2, that the Applicant is claiming rights in Room No. 602, Sai Datta Building no. 10, Pratiksha Nagar, Sion, Mumbai- 400 022 and not in the Room No. 603, Sai Datta Building no. 10, Pratiksha Nagar, Sion, Mumbai- 400 022;

b. Further to declare that the reference in the letter dated 24th January, 2019 to Room No. 603 is an inadvertent typographical error and same be considered as the claim in the Room No. **602**, Sai Datta Building no. 10, Pratiksha Nagar, Sion, Mumbai- 400 022 only.”

4. The Application is resisted by Respondent Nos. 3 and 4 represented by Mr Tajane who claim to be in possession of Room No. 602.

5. We accept the Application and make it absolute. We clarify that the Petitioner is restricting his claim to Room No. 602 and is making no claim whatsoever in regard to Room No. 603 irrespective of the typographical errors in the letter of 24th January 2019.

6. The 2nd Respondent is directed to consider the 24th January 2019 Application afresh without being influenced by the previous orders and to render a decision within four weeks. All contentions of all parties are kept open.

7. All concerned will act on production of a digitally signed copy of this order.

(Madhav J. Jamdar, J)

(G. S. Patel, J)

Note: This order is modified as per order dated 17th December 2021. The correction is shown in paragraph 3b in bold and italics.