

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

919 CIVIL APPLICATION NO.14919 OF 2019
IN RC NO.846/2019

SAHEBRAO KISHANRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

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Advocate for Applicant : Mr.G.K.Sontakke
AGP for Respondent-State : Mrs.D.S.Jape
Advocate for Respondent no.2 : Mr.S.C.Arora

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CORAM : S.G.DIGE, J.
DATE : 07.09.2022

P.C. :

1] Heard the learned counsel for the applicant and the learned counsel for the respondents.

2] The learned counsel for the applicant submits that in the judgment delivered by the Reference Court dated 3rd May, 2013, the name of respondent no.2 is mentioned as 'The Executive Engineer, M.I.D.C. Latur', it should be 'The Executive Engineer, M.I.D. Latur i.e. Minor Irrigation Division'. The applicant was directed to file an application before the Reference Court and get it corrected but the applicant could not remove objection within stipulated time, hence, registration of First Appeal is refused by the learned Registrar [Judicial] by the order dated 16.07.2019. The learned counsel further submits that if this Court directs to

correct the designation as this Court is an Appellate Court and in continuation of the suit then the Court has power to correct typographical error, hence, requested to allow the application.

3] The learned counsel for respondent no.2 submits that appropriate order be passed.

4] Considering submissions of both learned counsel, only designation of respondent no.2 is wrongly mentioned, hence, it can be corrected, hence, I pass the following order :

ORDER

i] The application is allowed.

ii] The order passed by the learned Registrar [Judicial] dated 16th July, 2019 is hereby quashed and set aside. The applicant – appellant is directed to make amendment in the Appeal Memo within two weeks.

iii] Civil Application is disposed of accordingly.

**[S.G.DIGE]
JUDGE**