

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2469 OF 2022

Vilas Shirchand Sethiya & Ors.

.. Petitioners

Versus

Maruti Yashwant Jadhav & Ors.

.. Respondents

-
- Mr. Rushikesh C. Barge for the Petitioners.
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CORAM : MILIND N. JADHAV, J.

DATE : MAY 02, 2022

P.C.:

1. A *praecipe* has been moved by the learned Advocate appearing for the Petitioners for speaking to the minutes of the order dated 12.04.2022.

2. Heard. Perused the *praecipe* dated 22.04.2022.

3. Following corrections are required to be carried out in the order date 12.04.2022.

4. In paragraph No.3, 4th line the word “not” shall be inserted after the words “.... Defendant No.1 has”. Paragraph No.3 shall now read as under:-

“Learned counsel appearing for the Petitioners submitted that the learned trial court has thereafter proceeded with the trial of the suit. The evidence of the Plaintiffs has been completed and it is now the Defendants’ turn to lead evidence. He submitted that the Defendant No.1 has **not** filed his affidavit in examination-in-chief in the trial court. However he asserted that the handwriting expert’s opinion be called for at their

cost in order to aid and assist the trial court before the Defendants lead their evidence.”

5. The corrections and insertions as shown in bold be carried out in paragraph No.4 and paragraph No.4 shall now read as under :-

“Defendants have tendered copy of **list of Documents** filed under Exhibit 62 before the trial court across the bar. The said **list of documents** is taken on record and marked “X” for identification along with its annexures. In Exhibit 62, Defendants have annexed 11 contemporaneous documents **out of which** their signatures **are borne out in two documents** for comparison with their signatures in the Agreement for Sale dated 14.11.2005.”

6. Necessary corrections to be carried out in the original order and corrected order be uploaded.

7. *Praecipe* is disposed of in the above terms.

[MILIND N. JADHAV, J.]