

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 WRIT PETITION NO.979 OF 2023

PARASRAM NARAYAN KAGNE
VERSUS
KESHAV NARAYANRAO KAGNE AND OTHERS

Mr. Subhash V. Mundhe, Advocate for the Petitioner.

CORAM : SHARMILA U. DESHMUKH, J.
DATED : JANUARY 31, 2023.

PER COURT :

1. Heard.
2. The Petitioner is aggrieved by the order dated 24th November, 2022 passed by the learned Civil Judge, Senior Division, Gangakhed in Regular Civil Suit No.77 of 2018, rejecting the Petitioner's application seeking correction in the cross-examination which had taken place on 7th September, 2022.
3. Learned counsel for the Petitioner submits that the errors in the cross-examination sought to be corrected, is as regards the complete name and the year of death of the father of the Petitioner, and the gut number which has been given in the cross-examination.
4. RCS No.77 of 2018 has been instituted by the petitioner claiming ownership in respect of Gut No.296 and for perpetual

injunction. It appears from the cross-examination that the gut number which has been mentioned are the adjacent gut number of Gut No.296 in which the petitioner claims ownership. Considering the answers which have been given, it cannot be accepted that the errors in the gut number are typographical errors. As regards the correction in the name and year of death of father of the Petitioner is concerned, the same does not have any bearing, inasmuch as the respondents are the family members of the petitioners and the error in name of the father of the Petitioner is the name of the grandfather. Considering the nature of the correction which has been sought, it cannot be said that these are typographical errors. In my opinion, after recording of cross-examination, the Petitioner cannot be permitted to correct his answers, lest an admission may stand withdrawn.

5. For the reasons above, I am not inclined to interfere with the impugned order. Writ Petition stands dismissed.

(SHARMILA U. DESHMUKH, J.)