

SA Pathan

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL REVISION APPLICATION NO.93 OF 2023

Meerasaheb Yaqub Sahab Mujawar &
Others ... Applicants

V/s.

Ibrahim Hamidsahab Mulla & Others ... Respondents

Dr. Uday P Warunjikar i/by Mr. Sumit S. Kate, for
applicant.

Mr. M. M. Choudhari, for respondent Nos.1 & 2.

Mr. Abdul Hafeez Yakub Kotwala, for respondent No.7.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 17, 2023

P.C.:

1. By the impugned order, the Tribunal allowed application below Exhibit 22 filed by respondents to amend clause 6 of Application No.18 of 2019 to substitute change-report No.42/88/2015 instead of change-report No.42/181/2017.
2. The petitioner has challenged the order on the ground that change of number is not typographical mistake. Such application having been filed after conclusion of arguments, the Tribunal had committed error of jurisdiction by allowing such application.
3. On perusal of the record, it appears that the Chief Executive Officer of Waqf Board by order dated 19 January 2019 allowed

change-report number in favour of respondent Nos.8 to 11 of Application No.18 of 2019. Clause 6 of the application states change-report number and thereafter, it is stated that by the said change-report respondent Nos.8 to 11 are taken on record as Trustees. Therefore, it is apparent that there is mistake in mentioning change-report number as change-report No.42/181/207 was in respect of respondent Nos.2, 3, 4 & 6. Since in paragraph 6, applicant has specified that, he is challenging change-report by which respondents Nos.8 to 11 are taken on record and the said change-report bears No.42/88/2015, in my opinion, allowing of amendment has effected of correcting the typographical errors. Hence, no interference in the order passed by the Tribunal as no error of jurisdiction as called for.

4. Arguments are heard, the Tribunal is directed to pass order on merits within three months from today.

(AMIT BORKAR, J.)