

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAO) NO. 856 OF 2023
IN
SECOND APPEAL NO. 291 OF 2012 (D)

SYED ISRAR S/O. ABDUL SATTAR

...**VERSUS**...

QUAZI ARIFODDIN S/O. QUAZI IKRAMODDIN (DEAD), AKTARUNNISA WD/O. QUAZI ARIFODDIN

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mrs. Maira Ateeb, Advocate for respondent no. 1(i) to (iv).

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 11th JULY, 2023

The present application is filed by the respondents for correction in the name of respondent no. 3 and allowing the Power of Attorney Holder i.e. respondent no. 3 to withdraw the amount as per Civil Application (CAS) No. 453/2023 decided on 18/04/2023.

2. The application is supported by affidavit and copy of Adhar Card. As such, the respondents are permitted to amend the name of respondent no. 3 in appeal memo of Second Appeal No. 291/2012. Necessary correction be also made in the judgment and order dated 03/03/2023 passed by this Court in SA No. 291/2012 and corrected order be uploaded.

3. The respondent no. 1 is reported to be dead during the pendency of appeal. Her death certificate is placed on record. As such, the respondents are permitted to delete the name of respondent no. 1 from appeal memo of Second Appeal No.

291/2012 so also from the judgment and order dated 03/03/2023 passed by this Court in SA No. 291/2012.

4. In view of Power of Attorney, the Registry is directed to disburse the amount in favour of respondent no. 3 who is holding the Power of Attorney on behalf of other respondents, after due verification of Power of Attorney.

5. Accordingly, the application stands disposed of.

CIVIL APPLICATION (CAS) NO. 901 OF 2023

The present application is filed by respondents for correction in the name of respondent no. 5.

2. The copy of Adhar Card is placed on record showing the name of respondent no. 5 as Laikunnisa Abdul Gani who is daughter of Qazi Arifoddin. As such, permission is granted to correct the name of respondent no. 5 in the appeal memo of Second Appeal No. 291/2012. The respondents are permitted to carry out amendment accordingly. Necessary correction be also carried out in the judgment and order dated 03/03/2023 passed by this Court judgment in SA No. 291/2012 and corrected order be uploaded.

3. Accordingly, the application stands disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar