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

WRIT PETITION NO. 1183 OF 2024

Vijaynarayan Narsingh Dwivedi

Petitioner
.. (Orig. Plaintiff)

Versus

Nirmaladevi Shitlaprasad Dubey and Ors.

Respondents
.. (Orig. Defendants)

-
- Mr. Ghanshyam Mishra, Advocate for Petitioner.
 - Mr. Kamran S. Sheikh a/w. Mr. Sanket B. Karankot, Advocate for Respondent.
-

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 05, 2024.

P.C.:

1. Heard Mr. Mishra, learned Advocate for Petitioner and Mr. Sheikh, learned Advocate for Respondent.

2. Mr. Sheikh would submit that by virtue of the fresh Power of Attorney now sought to be placed before the learned Trial Court. In effect, the Petitioner is now attempting to add additional statements and paragraphs in the original Power of Attorney, apart from the change in correcting the inadvertently stated name of his father as delineated by this Court in its order dated 31.01.2024.

3. I have impressed upon Mr. Mishra, learned Advocate for Writ Petitioner that in so far as the Writ Petition is concerned, this Court has

gone through the copy of the said Power of Attorney and has appreciated the inadvertent mistake appearing in the first place whereby by mistake the name of the Petitioner has been inserted in place of his son / constituted Power of Attorney. To that extent only, this Court will allow the Petitioner to carry out the rectification or in the alternative permit him to file a fresh Power of Attorney, provided that the remaining clauses of the said Power of Attorney are maintained as it is. Mr. Sheikh would submit that, in that case there would be no objection by the Respondent.

4. Mr. Mishra would submit that to leave no room for doubt, a fresh Power of Attorney final draft shall be prepared and submitted to the Court on the next date on the above lines by rectifying the name only. Copy of the same shall be served on Mr. Sheikh on or before 10.04.2024.

5. Stand over to **12th April, 2024 for orders.**

[MILIND N. JADHAV, J.]

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