



5.caw.2068.2024 in wp.5561.2023.odt

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CIVIL APPLICATION (CAW) NO. 2068 OF 2024
IN
WRIT PETITION NO. 5561 OF 2023 (D)
(Jitendra Madhusudan Vyas V/s Manoj Bhavarlal Chhangani & Anr.)

Office Notes, Office Memoranda of Coram,
Appearances, court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. A. V. Bhide, Advocate for Petitioner.

CORAM : ANIL L. PANSARE, J.
DATE : AUGUST 12, 2024.

. Heard.

2. The learned Counsel for Petitioner submits that in the order dated 31/7/2024 this Court has noted that the suit under question was filed against the third party.

3. This note was made on the count that, the Petitioner's (Original Defendant's) mother, and not the Petitioner was owner of the suit premises.

4. The learned Counsel further submits that the Petitioner's mother expired prior to filing suit, and therefore, the suit was filed against the Petitioner, who cannot be treated as third party. Accordingly, he seeks correction in the order dated 31/7/2024.

5. This correction is something that cannot be made in

an application for speaking to minutes, in as much as, this Court was made to believe that Petitioner's mother was alive. In that sense, it could be said to be an error apparent on the face of record. This order, therefore, will have to be reviewed.

6. Stand over to 28th August, 2024 for hearing.

(ANIL L. PANSARE, J.)

vijaya