

*Sharayu Khot.*

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 2143 OF 2025

IN

SUIT NO.130 OF 2025

WITH

SUIT NO.130 OF 2025

Nagina Ramsagar Choube & Ors.

...Applicants /  
Org. Plaintiffs

*Versus*

Ajay Mohan & Ors.

...Defendants

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Dr. Pawan K. Pandey a/w Mr. Ashok Gupta i/b Chayderman & Co. for  
the Plaintiffs.

Mr. Yash Momaya, Mr. Samit Shukla, Mr. Siddharth Shah, Mr. Anuj  
Savla & Ms. Sayali Diwadkar i/b Trilegal for Defendants.

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CORAM : R.I. CHAGLA J

DATE : 21 July 2025

ORDER :

SHARAYU  
PANDURANG  
KHOT

Digitally  
signed by  
SHARAYU  
PANDURANG  
KHOT  
Date:  
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1. The learned Counsel for the Applicants / original  
Plaintiffs has sought for Speaking to the Minutes of the order dated  
24th June 2025. The corrections are as under :-

- (i) In paragraph 7, 4th and 5th line, the words **“who is the Plaintiff No.2 & 3 in the present Suit; the legal heir of Plaintiff No.4 therein who is Plaintiff No.4 in the present Suit”** are required to be corrected as **“who are the Plaintiff Nos.3 & 4 in the present Suit; the Plaintiff No. 7 therein who is Plaintiff No.2 in the present Suit”**.
- (ii) Further, in paragraph 7, 4th last line, the words **“in the present Suit”** are required to be added after the words **“The Plaintiff No.1”**.
- (iii) In paragraph 7, 2nd last line after the words **“liberty to file fresh Suit”** the words **“in respect of the subject matter of the present Suit”** are required to be added.
- (iv) In paragraph 8, 5th line the words **“legal heir of”** is required to be deleted.
- (v) Further, in paragraph 8, 6th line **“the Plaintiff No.4”**

is required to be corrected as **“the Plaintiff No.2”**.

(vi) In the 7th line of paragraph 8, the words **“Defendant No.9 is the Plaintiff Nos. 2 & 3 in the present Suit”** are required to be corrected as **“Defendant No.9 are the Plaintiff Nos. 3 & 4 in the present Suit”**.

(vii) In paragraph 8, 10th line the words **“had been transposed as”** is corrected as **“is”**.

(viii) In paragraph 8, the last sentence **“Further, the predecessor of the Plaintiff No.4 in the present Suit had been transposed as Defendant No.5 in the said Suit and the predecessor of the Plaintiff No.2 & 3 in the present Suit had been transposed as Defendant No.9 in the said Suit.”** is corrected to read as **“Further, the Plaintiff No.2 in the present Suit is Defendant No.5 in the said Suit and the predecessor of the Plaintiff Nos.3 & 4 in the present Suit is Defendant No.9 in the said Suit.”**.

- (ix) In paragraph 9, 6th and 7th lines, the words **“Plaintiff Nos.2 & 3”** are to be corrected as **“Plaintiff Nos. 3 & 4”**.
- (x) In paragraph 14, 4th line the year **“2021”** is to be corrected as **“2020”**.
- (xi) In paragraph 14, 6th line, the word **“Suits”** is to be corrected as **“Suit”**.
- (xii) In paragraph 23, 3rd line the words **“Appeals were”** is to be corrected as **“Appeal was”**.
- (xiii) In paragraph 29, 6th line after the words **“dismissed the Appeal”**, the word and date **“on 31st January 2010”** are to be added.
- (xiv) In paragraph 32, 3rd and 4th lines the words **“Plaintiff Nos. 1, 2 and 3 and Plaintiff No.4’s predecessor (father)”** are corrected to read as **“Plaintiff Nos. 1 and 2 and Plaintiff Nos.3 and 4’s**

predecessor (father)".

(xv) In paragraph 32, the sentence commencing from 3rd line at page 16 viz. "He has submitted that in the 2011 Suit the Plaintiffs claimed to be in possession since 1964, prior to the purported 1969 Agreement, whereas in the present Suit they claim to have been put in the possession upon execution of the alleged 1969 Agreement." is corrected to read as "He has submitted that in the 2011 Suit the Plaintiffs claimed to be in possession upon execution of the alleged 1969 Agreement, whereas in the present Suit they claim to have been put in the possession since 1964."

(xvi) In paragraph 34, 3rd line the name "Shankarrao Pawar" is to be corrected as "Shankarrao Kondiba Pawar".

(xvii) Further, the sentence commencing from the 9th line of paragraph 34 viz. "He has submitted that in the

present Suit, the Plaintiffs claim that in part performance of the purported 1969 Agreement, the Defendant No.1 placed the claimants into possession, whereas in the Suit in 2014 Suit, the Plaintiffs claim to be in possession since 1964 i.e. prior to the alleged 1969 Agreement.” is corrected as “He has submitted that in the present Suit, the Plaintiffs claim to be in possession since 1964 i.e. prior to the alleged 1969 Agreement, whereas in the Suit in 2014 Suit, the Plaintiffs claim to be in possession since 1969.”.

(xviii) In the 2nd last line of paragraph 34, the words “between in 2010” are to be corrected as “in or around 2010”.

(xix) In the 3rd last line of paragraph 40, the words “between in 2010” are to be corrected as “in or around 2010”.

(xx) In paragraph 41, 6th line the words and number

**“Defendant No. 7A”** are to be corrected as **“Defendant No. 7”**.

(xxi) In the last line of paragraph 41 after the words **“passed in terms thereof”** the words **“on 6th November 2024 by the City Civil Court”** shall be added.

(xxii) In paragraph 42, 3rd last line the words **“Summons was filed by Sainik on 5<sup>th</sup> November, 2024”** are corrected as **“Summons No. 2277 of 2024 filed by Sainik was rejected on 5<sup>th</sup> November, 2024”**.

(xxiii) In paragraph 44 last line before **“2014 and 2022 Suits”** **“2011”** shall be added.

(xxiv) In paragraph 54, 2nd and 3rd line, the words **“Plaintiff No.1, Plaintiff No.2 and Plaintiff No.3 and Plaintiff No.4’s predecessor (father)”** shall be corrected as **“Plaintiff No.1, Plaintiff No.2 and and Plaintiff Nos. 3 and 4’s predecessor (father)”**.

(xxv) In paragraph 56, 7th line, “**Paragraph 12**” shall be corrected as “**Paragraph 12(v)**”.

2. The said order dated 24th June 2025 is accordingly corrected.

[R.I. CHAGLA J.]