



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

WRIT PETITION NO. 1896 OF 2025

(Sudhakar s/o Atmaramji Munde Vs. Premanand Ashirwad Paturkar & Ors.)

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

Court's or Judge's orders.

Mr. V.R. Hamand, Counsel for the petitioner.

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CORAM : ANIL L. PANSARE, J.
APRIL 5, 2025

Heard.

2] The basic grievance of the petitioner – original plaintiff is that there occurred certain typographical errors in the evidence recorded by the trial Court of first witness of the plaintiff. For example, in paragraph 17, it is said to be deposed that “the house, where the petitioner resides, is one feet above the road.” According to the petitioner’s Counsel, it should be “one inch above the road.” In the same paragraph, it is said to be deposed that “it is not true to say that as per my version, the books were kept in wardrobe.” According to the petitioner’s Counsel, what was deposed was that “it is not correct to say that as per your version, the books were kept in wardrobe.”

3] In context with above, I have gone through the chief-examination of the witness. On this point, what has been stated is that the petitioner left the house by keeping in his house various articles, which include books, clothes, etc., and behind his back, the respondents

– original defendants have deliberately poured dirty water by which these articles were destroyed.

4] Thus, *prima facie*, it appears that there occurred typographical errors in cross-examination recorded by the trial Court.

5] The question, however, is whether witness should be re-called to correct the typographical errors? The answer would be in the negative as rightly held by the trial Court. The typographical error is such that as and when the same is brought to the notice of the Court, it should be corrected.

6] In the circumstances, the purpose of filing petition will be served if the petitioner is permitted to file application before the trial Court to correct the typographical errors that occurred in recording evidence of the witness.

7] The petitioner may, accordingly, file application before the trial Court, who shall consider the same in the light of what has been stated hereinabove as also what transpired in the Court.

8] The petition is disposed of in above terms. No costs.

(ANIL L. PANSARE, J.)

Sumit