

Kavita S.J.

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

INTERIM APPLICATION NO.528 OF 2026

IN

FIRST APPEAL NO.1161 OF 2025

**Sharad @ Shivram @ Undir
@ Uddhav Mhatre (Deceased) & Ors.,**

**...Applicants/
Org. Respondent
Nos.2 to 6.**

In the matter between:

**Gopal Savlya Gharat
(since deceased through his legal heirs)**

...Appellant

Versus

State of Maharashtra & Ors.,

...Respondents

Mr. Hemant Ghadigonkar for Applicants.

Mr. Sachin S. Punde for Appellant.

**CORAM : R.I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 21st JANUARY, 2026.

ORDER :

1. By this Interim Application, the Applicants have sought return back of the Record & Proceeding of LAR No.33 of 1996 with direction to the Trial Court to carry out necessary amendment in the Award in respect of the name of Applicant No.3 and to permit the

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Applicants to withdraw the said amount as per order passed by the Trial Court.

2. The learned Counsel for the Applicants has referred to the original Award, wherein the name of Applicant No.3 has been wrongly recorded as “Rajani” instead of “Ranjana”. He has submitted that this change is required to be carried out by the Trial Court in the original Award.

3. Having perused the cause title of the original Award and comparing it with the Judgment of the Trial Court, it does appear that the name of Applicant No.3 has been wrongly recorded.

4. In view of the Record & Proceeding having been called for by this Court, upon admission of the First Appeal, the Record & Proceeding is required to be returned back to the Trial Court to carry out necessary change in the name of Applicant No.3.

5. Accordingly, the office is directed to return back the Record & Proceeding to the Trial Court in order to enable the carrying out of amendment of the name of Applicant No.3 in the original Award. There is a direction to permit the Applicants to

withdraw the said amount as per order passed by the Court, which may be sought in execution.

6. In view thereof, the Interim Application is disposed of. There shall be no orders as to costs.

7. Upon the necessary amendment being carried out, the Trial Court shall return the Record & Proceeding to this Court where the First Appeal is pending hearing.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]