



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

WRIT PETITION NO. 4768/2025

Smt. Kusum Wd/o. Pratap Bhosle Vs. Shri Parakram S/o. Pratap Bhosle

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

Court's or Judge's order

Mrs. Swati Paunikar, Advocate for Petitioner.

CORAM : ROHIT W. JOSHI, J.

DATED : 10.06.2026

1. Succession Case No.418/2022 filed by the present petitioner with respect to amount lying in the bank account of husband of the petitioner late Pratap Narayanrao Bhosle was allowed by the learned 7th Joint Civil Judge Senior Division, Nagpur vide judgment dated 23.01.2025. The amount lying in the bank account was mentioned as Rs.2,29,565.46. The petitioner realised that in fact as on the date of demise of her deceased husband, an amount of Rs.24,29,565.46 was lying in the said bank account. The petitioner accordingly moved an application for necessary correction in the judgment and Succession Certificate issued pursuant to the said judgment. The said application was registered as MANRJI No.30/2025. The learned 2nd Joint Civil Judge Senior Division, Nagpur has rejected the said application for correction of amount on the ground that in the original proceeding, incorrect amount was mentioned by the petitioner herself and that in the said proceeding no document was placed on record to show that an amount of Rs.24,29,565.46 was lying in the bank account. In the considered opinion, this learned Court has clearly erred in

not allowing the application.

2. The bank account statement produced on record along with the application for correction clearly indicates that, as on 01.08.2022, an amount of Rs.24,29,565.46 was lying on the concerned bank account. It appears that, digit '4' is inadvertently missed out to be mentioned in application for grant of Succession Certificate. This inadvertent clerical/typographical error should have been permitted to be corrected by the learned Court. Even otherwise whatever be the amount mentioned in the Succession Certificate, the petitioner will be entitled to receive only the amount that is actually lying in the bank account.

3. In view of the aforesaid, the Writ Petition is allowed.

4. Order dated 09.07.2025 passed by the learned 2nd Joint Civil Judge, Senior Division, Nagpur in MANRJI No.30/2025 is quashed and set aside.

5. MANRJI No.30/2025 is allowed with a direction that an amount of Rs.24,29,565.46 be mentioned in paragraph No.4(A)4 of the judgment dated 23.01.2025 in Succession Case No.418/2022 and in entry No.4 in the list of securities enumerated in the Succession Certificate issued on 02.04.2025 by the learned 5th Joint Civil Judge Senior Division, Nagpur.

6. The Writ petition is disposed of accordingly.

7. No order as to costs.

(ROHIT W. JOSHI, J.)