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Order Below Exh.1 In M.A.'N'.R.J.I No. 01/2018.

(Passed on 21.04.2018)

Applicants have moved present petition vide Section 152 of C.P.C. for amendment in Compromise Decree passed in R.C.S. No. 382/2016. As per applicant suit property Gut No. 105 area 73 R. was subject matter but it was inadvertently mentioned as Gut No. 158 area 90 R. Therefore they prayed for correcting the suit property number in compromise Decree.

I have gone through the copy of Decree passed in R.C.S. No.382/2016, it reflects that even in plaint suit property is mentioned as Gut No.158, Area 90 R. Therefore in compromise decree also said suit property number is mentioned. The propose amendment suggested by the applicant has no nexus with suit R.C.S. No. 382/2016 and decree passed therein. That decree was compromise decree and parties were agreed for settlement in respect of Gut No.158 and not in respect of Gut No.105. In such circumstances suit property mentioned in compromise decree cannot be said to be clerical or arithmetical mistake or any accidental slip of Court. In such circumstances application is not tenable vide Section 152 of C.P.C. Hence proceeding is dismissed and disposed of.

 21/4/18

(V.G. Karmore)

Date:- 21.04.2018.

3rd Jt. Civil Judge, Junior Division,
Vaijapur.

