

ORDER PASSED BELOW EXH. 1 IN CIVIL M.A. NO. 01/2018

Passed on : 26th April , 2018

1. Heard Mr.P.B.Shinde learned advocate for the applicants.

2. This is an application filed by applicants and sought decree of the RCSNo. 104/2016. The applicants have submitted that they have filed compromise pursis in RCS no. 104/2016. Accordingly, suit is disposed of as compromise and decree drawn on 28.11.2017. They have further submitted that in advertantly they have mentioned area 2H 27R of Block no.100 in compromise pursis page no.2 para no.4. But the actual area is about 2H 47 R. Hence the applicants prays to make correction in compromise decree.

3. On going through the application and record of the proceeding it appears that RCSNo. 104/2016 was disposed of as compromise before the mediator Judge. Accordingly, compromise decree drawn along with compromise pursis at Exh.27. The applicants have filed joint compromise pursis at Exh. 25. The applicants have also filed 7/12 extract of block no.100 . The said extract shows area of 4 H 47R. It has come on record that the applicants have inadvertantly mentioned area of 2H 47R in compromise pursis at Exh.25. In view of Section 152 of Code of Civil Procedure, this court have ample power to correct

typographical errors in the decree and judgment. Previous decree is made on the basis of compromise pursis Exh.25. Hence it is necessary to correct actual area of 2H 47R of Block no. 100 in compromise decree Exh. 27 and 25. In the result application needs to be allowed. I proceed to pass the following order.

ORDER

1 Application is allowed.

2 The correction shall be made in compromise pursis and decree Exh. 25 and Exh.27 of page no.2 para no.4 Block no. 100 area adm. 2H 47R instead of 2H 27R.

Place : Tuljapur

Date : 26th April,2018

sd

(R.N.Gaikwad)

Jt. Civil Judge, Junior Division,
Tuljapur.