

MHSN02-001022-2025

ORDER BELOW EXH. 23 IN RCS NO. 131/2025

Parshwa Reality Vs. Somnath Ramling Kore

The present application is filed under section 151 r.w. 152 of Civil Procedure Code.

2. It is the contention of the defendants that, by the order dated 29.09.2025 an application for temporary injunction below Exh. 5 was partly allowed and from the perusal of said order it appears that there are some typographical mistakes in the said order such as instead of writing Civil Writ Petition no. 8434/2009 Criminal Writ Petition no. 8434/2009 is typed and admeasuring area of sale deed dated 28.09.2010 is incorrectly typed and by the order this Court granted temporary injunction in respect of admeasuring area of 7162.45 Sq.Mtr. However, the admeasuring area is not written in the operative part of the said order. Therefore, the plaintiff firm by taking advantage of it misrepresenting the public at large.

3. This application is strongly objected by the plaintiff by filing say. It is the contended by the plaintiff that, the first amendment sought by the defendant is very typographical one. Therefore it can be allowed and for the rest of the amendment the defendant is supposed to file and appeal. Therefore, this application be rejected.

4. Perused the application and say filed. Heard. Perused the record.

5. Admittedly, it appears from the record that, in para no. 2 of the order inadvertently it has been typed that in Criminal Writ Petition 8434/2009 instead of Civil Writ Petition no. 8434/2009. This is a typographical error and therefore it certainly can be corrected. So far as, correction in the para no. 11 are concerned, it has been typed in the order that the Ganpati Panchayatan Sansthan sold property situated at Rajwada Parisar having admeasuring area of 7162.45 Sq.Mtr. out of 8991.77 Sq.Mtr. vide registered sale deed on 28.09.2010 but in sale deed it has been specifically stated that the defendant has sold 7162.45 Sq.Mtr. area out of 8091 Sq.Mtr. Perused the sale deed on record. It appears from the record that, there is a substance in the said contention of the defendant and the Ganpati Panchayatan Sansthan sold admeasuring area of 7162.45 Sq.Mtr. area out of admeasuring area of 8091.77 Sq.Mtr. This is again a typographical error and it will not change the nature of suit.

6. So far as the contention of the defendant is concerned in respect of operative part of order that, exact area of the sale deed dated 28.09.2010 be mentioned in the operative order para no. 2 of the order. The plaintiff by taking advantage of this grey area of order, published a notice with false contentions that the injunction order is passed in respect of area 14938.34 Sq.Mtr. Therefore, for the sake of clarity it is necessary to mention area in the order passed below Exh. 5. The defendant filed on record notice published by the plaintiff on 14.10.2025. In the said notice, the order of this Court is definitely mentioned. However, there is nothing on record to show that it is published in respect of area 14938.34 Sq.Mtr. From the perusal of

order it appears that, temporary injunction is granted in respect of suit properties mentioned in the registered sale deed dated 28.09.2010. Therefore, if the order is corrected only in respect of admeasuring area for which temporary injunction is granted, it will not harm the parties to the proceeding. In fact, it will bring clarity to the order. Therefore, in view of above discussion, I am inclined to allow this application and the order-

ORDER

1. The application is allowed.
2. The corrections as above in para no. 2 and 11 be carried out.
3. The admeasuring area of the sale deed dated 28.09.2010 i.e. 7162.45 Sq.Mtr. be added in the operative part as prayed.
4. The corrected order be uploaded.

Place : Sangli.
Date : 12.02.2026.

(Rohini S. Patil)
Jt. Civil Judge Jr. Div., Sangli.