



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11835 OF 2012

Charu K. Mehta

..Petitioner

Vs.

Mr. Prabodh Mehta and Ors

..Respondents

Mr. Carl Tamboli a/w R. N. Ali i/b T. Jariwala and Associates, for the
Petitioner.

Mr. Janak Dwarkadas, Senior Advocate i/b Vidhi Partners, for the
Respondent No.1.

Ms. A. D. Vhatkar, AGP, for the Respondent Nos.2,3.

CORAM :- **B. R. GAVAI, J.**

DATE :- **JANUARY 23, 2013.**

P. C.:

1 The Petitioner has moved this Court by way of a praecipe contending therein that though this Court had dictated “that in the event the Respondents do not file affidavit in lieu of examination-in-chief, on the next date i.e. 21st January, 2013, the learned Joint Charity Commissioner would proceed to hear the matter without granting further time to the Respondents to file affidavit in lieu of examination-in-



chief”, the same is not transcribed in the order dated 09.01.2013.

2 The contention appears to be correct inasmuch as the Civil Application which is filed by the Respondents i.e. Civil Application No.175 of 2013 also proceeds on the basis that the aforesaid sentence was dictated.

3 In that view of the matter, the Motion is allowed. The aforesaid sentence be inserted at the end of paragraph no.11 of the order dated 09.01.2013.

(B. R. GAVAI, J.)