

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

SECOND APPEAL (ST). NO.23030 OF 2017

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|---|---------------------------|
| Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr. Kuldeep U. Nikam for the appellant
None for the respondent

**CORAM : K. K. TATED, J.
DATE : DECEMBER 13, 2017**

P.C.:

1. Heard.
2. Though respondent is duly served, no one appeared on behalf of them when the matter was called out.
3. The learned counsel for the appellant submits that prima facie there is a error in typing of facts in impugned judgment dated 9.6.2017 passed by learned Additional Adhoc District Judge – 2, Sangli in Regular Civil Appeal No. 109 of 2010.
4. He submits that on page 10 issue no.7 is answered as “YES” whereas finding in paragraph 34 is contrary to that. Hence, he seeks some time to make appropriate application before the lower appellate court for clarification of these facts. He submits that applicant undertakes to make

appropriate application before the appellate court on or before 22.12.2017. Same is accepted.

5. If such application is made, appellate court is directed to consider the said application on its own merits without influencing that Second Appeal is pending before this court.

6. Registry is directed to place the matter on board on 29.1.2018.

7. Till next date, parties are directed to maintain status quo as of today.

Parties to act on authenticated copy of this order.

(K.K.TATED, J.)