

A KESHARBAI @ PUSHPABAI EKNATHRAO NALAWADE  
(D) BY LRS. & ANR.

v.

TARABAI PRABHAKARRAO NALAWADE & ORS.  
(Civil Appeal No. 3867 of 2014)

B APRIL 4, 2014

**[SURINDER SINGH NIJJAR AND A.K.SIKRI, JJ.]**

**JUDGMENT:**

C *Amendment in judgment - Held: Para 22 of judgment dated 14.3.2014 is amended to the effect that the judgment of trial court is confirmed on Issue No. III also and suit of plaintiffs stands dismissed.*

D CIVIL APPELLATE JURISDICTION : Civil Appeal No. 3867 of 2014.

From the Judgment and Order dated 23.03.2009 of the High Court of Bombay at Aurngabad in FA No. 468 of 2004.

E Chandan Ramamurthi for the Appellants.

Preshit Surshe (Mentioned By), Shivaji M. Jadhav, Naresh Kumar for the Respondents.

F The following Order of the Court was delivered

**ORDER**

G 1. On 27th March, 2014, we had directed to delete the following words in paragraph 22 of the Judgment delivered on 14th March, 2014 in Civil Appeal No.3867 of 2014 [Arising out of Special Leave Petition (Civil) No.27916 of 2009]:

“and set aside the findings recorded by the trial court on Issue No.III.”

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2. However, inadvertently, the following line in the said paragraph is deleted: A

“The judgment of the Trial Court is confirmed on Issue No. III also.”

3. Let the necessary amended be made and the amended paragraph 22 of the said judgment will read as follows: B

“22. In view of the aforesaid, we allow the appeal. The judgment of the Trial Court is confirmed on Issue No. III also. Consequently, the suit filed by the plaintiffs (respondents herein) shall stand dismissed.” C

R.P.

Judgment modified.