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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO.454 OF 2015

Dashrath Bhika More (Died) LRs & Others

APPELLANTS

VERSUS

Rekha Pandurang More & Another

RESPONDENTS

.....

Mr. Anant Devakate, Advocate for the appellants

Ms. Anjali Dube (Bajpai), Advocate for respondents No.1 and 2

.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 9th DECEMBER, 2015

ORDER :

1. Heard learned advocates for the parties.
2. The second appeal is **admitted** on following substantial questions of law.

1. Whether the courts below were right in their approach to consider that land survey No.428, the subject matter of the suit filed for partition by the plaintiffs, is a joint family property ?
2. Whether it emerges on record that the plaintiffs have sufficiently discharged their burden of showing said

property to be joint family property ?

3. Whether evidence on record, which has been brought about by the defendants, indicates that said property is the property purchased by Mandabai for Shantabai ?

3. Ms. Anjali Dube - Bajpai, learned advocate waives notice for respondents No.1 and 2.

[SUNIL P. DESHMUKH, J.]

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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3689 OF 2014
IN
SECOND APPEAL NO.454 OF 2015

Dashrath Bhika More (Died) LRs & Others

APPLICANTS

VERSUS

Rekha Pandurang More & others

RESPONDENTS

.....

Mr. Anant Devakate, Advocate for the applicants

Ms. Anjali Dube (Bajpai), Advocate for respondents No.1 and 2

.....

[CORAM : SUNIL P. DESHMUKH, J.]**DATE : 9th DECEMBER, 2015****ORDER :**

1. All the proceedings for execution to go on save and except delivery of possession.
2. Civil application stands disposed of.

[SUNIL P. DESHMUKH, J.]

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