

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO. 98 OF 2013

Vishnu s/o Laxman Gore

Appellant

V E R S U S

Rangnath s/o Baburao Shendge and
others

Respondents

Mr. S.S. Choudhary, Advocate for the appellant
Mr. A.S. More, Advocate for the respondents

CORAM : A. V. NIRGUDE, J.
DATE : 20th JULY, 2015

PER COURT :

1. This Appeal cannot be admitted as there is no substantial question of law arising in this case. Though the judgment of the lower Appellate Court is not quite satisfactory, the facts of the case that are elaborated in the judgment of the trial Court clearly indicate that the appellant/plaintiff is new owner of suit land. He purchased the land in question from one Mr. Mantri. The land, prior to this transfer, was subjected to consolidation scheme, and during that scheme, realignment of lands took place. Having regard to the acquisition of some land in the village in Minor Irrigation Project, the suit land Gat No.39 was found to be having area of 84 R. This was substantial reduction in the original area of Gat

no.39. But, the appellant/plaintiff despite of these developments purchased this land and therefore cannot make any complaint about its reduced area. During the measurement, the land of the appellant/plaintiff was found to be 84 R. Therefore, the judgment of the lower Appellate Court though not based on correct reasons, does not give rise to substantial question of law. The Second Appeal stands dismissed.

(**A.V. NIRGUDE, J.**)